



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
12 November 2015**

**Havering Town Hall,
Main Road, Romford**

Members 11: Quorum 4

COUNCILLORS:

**Conservative
(5)**

Robby Misir (Chairman)
Melvin Wallace (Vice-Chair)
Ray Best
Philippa Crowder
Steven Kelly

**Residents'
(2)**

Stephanie Nunn
Reg Whitney

**East Havering Residents'
(2)**

Alex Donald
Linda Hawthorn

**UKIP
(1)**

Phil Martin

**Independent Residents
(1)**

Graham Williamson

**For information about the meeting please contact:
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Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

Would members of the public also note that they are not allowed to communicate with or pass messages to Councillors during the meeting.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 12)

To approve as a correct record the minutes of the meeting of the Committee held on 22 October 2015 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 13 - 40)

- 6 **P0760.15 - 268-272 NORTH STREET, ROMFORD** (Pages 41 - 58)

- 7 **P1340.15 - PLOTS 7 & 8 BEAM REACH BUSINESS PARK, CONSUL AVENUE, RAINHAM** (Pages 59 - 94)

- 8 **P1669.14 - 68 STATION ROAD, UPMINSTER** (Pages 95 - 112)

- 9 **P1366.15 - PORTMAN HOUSE 16-20 VICTORIA ROAD, ROMFORD** (Pages 113 - 128)

- 10 **P0321.15/P0323.15 - ST GEORGE'S HOSPITAL, SUTTONS LANE, HORNCHURCH** (Pages 129 - 212)

- 11 **P0191.15 - 253 CHASE CROSS ROAD, ROMFORD** (Pages 213 - 232)

- 12 **P1173.15 - 90 MAIN ROAD, ROMFORD** (Pages 233 - 242)

- 13 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which will be specified in the minutes, that the item should be considered at the meeting as a matter of urgency

**Andrew Beesley
Committee Administration
Manager**

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
22 October 2015 (7.30 - 9.50 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Ray Best, Philippa Crowder, Steven Kelly and +John Crowder

Residents' Group Stephanie Nunn and Reg Whitney

East Havering Residents' Group Alex Donald and Linda Hawthorn

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

An apology for absence was received from Councillor Melvin Wallace.

+Substitute members: Councillor John Crowder (for Melvin Wallace).

Councillors Gillian Ford, John Mylod and Melvin Wallace were also present for parts of the meeting.

20 members of the public 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.

341 **DISCLOSURE OF PECUNIARY INTERESTS**

Councillor Alex Donald declared a personal/pecuniary interest in application P1131.15. Councillor Donald advised that he was a resident of the application site and would be speaking on behalf of other residents regarding the application.

Following his representations Councillor Donald left the chamber during discussion of the item and took no part in the vote.

342 **MINUTES**

The minutes of the meeting held on 17 September and 1 October 2015 were agreed as correct records and signed by the Chairman.

343 **P1131.15 - FORMER HAROLD WOOD HOSPITAL**

The report before Members detailed a reserved matters application for the next penultimate phase of the development, Phase 2A which proposed 109 residential dwellings, plus associated infrastructure and car parking.

Members had previously considered an outline planning permission for the redevelopment of the former Harold Wood Hospital and this had been granted under ref P0702.08 Members had also considered full applications for the construction of the spine road and Phases 1A and 1B and reserved matters applications for Phase 3A, 3B, 5, 4A and 4B of the residential development.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant's representative.

The objector advised that he was speaking on behalf of the residents of the application site. The objector commented that there had been no consultation with residents from Countryside Properties and that the proposed blocks of flats would impact on the privacy of current residents and would lead to traffic and parking problems. The objector also commented that the four storey block would dominate the local area and overlook existing properties and the nearby church. The objector concluded by commenting that there would be an increase in traffic movements and that there was insufficient parking provision for existing residents due to commuters parking on the development and using the nearby railway station.

With its agreement Councillor Alex Donald addressed the Committee.

Councillor Donald commented that he was objecting to Block B due to the possible overshadowing of existing properties. Councillor Donald also commented that there appeared to be some deviation from the outline permission that had previously been granted. Councillor Donald further commented that there was a lack of parking provision on the site and that Wessex Way was a private road that should only be used by residents and not commuters. Councillor Donald concluded by commenting that the report acknowledged there would be overlooking and that Countryside Properties should consider existing resident's views.

In response the applicant's representative commented that the issues raised had been considered at the reserve matters stage. The master plan had previously confirmed the height and orientation of the proposed blocks to help minimise overlooking. The applicant's representative also commented

that the development was proving popular due to its location close to the railway station and the future introduction of Crossrail. The applicant's representative concluded by commenting that the heritage and open nature of the green spaces on the site had been considered at the outline application stage and been adhered to.

During the debate Members discussed the issues previously raised by the objectors including the possibility of overlooking and the lack of parking provision.

Following a brief discussion as to whether the reserved matters application differed from the previous master plan the Members received clarification of the differences between a parameters plan and a density plan.

Members agreed that the development had been planned and built well and had perhaps become a victim of phased development whereby the existing householders felt that the proposed flats would harm their amenity and increase parking issues.

Members also discussed the existing parking per unit which met the Council's targets and also discussed the lack of parking restrictions which encouraged commuter parking.

In response to a question regarding possible overlooking Members were advised that it was judged at the time of the outline permission that the relationships between properties had been scrutinised and judged to be acceptable.

Members were also advised that the report detailed that a car parking management scheme had to be submitted by the applicant for approval by the Council prior to first occupation.

It was **RESOLVED** that reserved matters permission be granted subject to the conditions as set out in the report.

The vote for the resolution to grant reserved matters permission was carried by 8 votes to 1 with 1 abstention.

Councillor Martin voted against the resolution to grant reserved matters permission.

Councillor Williamson abstained from voting.

As mentioned previously in the minutes Councillor Alex Donald declared a personal/pecuniary interest in application P1131.15. Councillor Donald advised that he was a resident of the application site and would be speaking on behalf of other residents regarding the application.

Following his representations Councillor Donald left the chamber during discussion of the item and took no part in the vote.

344 **P0515.15 - 10 THE AVENUE, HORNCHURCH/P0517.15 10A THE AVENUE, HORNCHURCH**

The two proposals before Members were for two 2 storey front extensions complete with dormer windows to two dwellings that were a pair of semi-detached dwellings.

The Chairman advised that the Committee would consider both applications together but with a separate vote being taken on each application.

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

The objector commented that the proposals would affect the privacy, outlook and light on their property. The objector also commented that the proposals, on top of previous extensions, were an overdevelopment of the site and would overshadow their property and garden. The objector concluded by commenting that the effect of the proposals had been minimised in the report and urged the Committee to reject both proposals on the grounds of reduced amenity to the neighbouring property.

In response the applicant commented that the extensions to the rear of the properties had been carried out under Permitted Development rights. The applicant also commented that he had submitted an independent daylight/sunlight assessment that had confirmed that there would only be a loss of light in the 0.1% region. The applicant concluded by commenting that the applications had been the subject of two time extensions and had been investigated thoroughly.

Members noted that the application had been called-in by Councillor John Mylod on the grounds of the impact on the neighbourliness of the developments.

With its agreement Councillor John Mylod addressed the Committee.

Councillor Mylod commented that the building works to the properties had been on-going for some time and that the proposals were an overdevelopment of the site. Councillor Mylod also commented that the daylight/sunlight assessment had been paid for by the applicant as the Council did not carry out such assessments due to cost implications. Councillor Mylod concluded by commenting that the proposals would lead to a loss of amenity for the neighbouring property and asked that the Committee refused both applications.

During a brief debate Members discussed the height of the proposed developments and what impact they would have on the neighbouring property.

Members also discussed the character of the streetscene and how the proposed developments would sit within the neighbouring properties.

Following a motion to refuse the granting of planning permission which was lost by 6 votes to 4 with 1 abstention it was **RESOLVED** that planning permission to both P0515.15 and P0517.15 be granted subject to the conditions as set out in the report and to include a further condition on both applications requiring that the property be used solely as a single family dwelling and not for any shared accommodation including as a house of multiple occupation.

The vote for the resolution to grant planning permission for P0515.15 was carried by 10 votes to 1.

Councillor Whitney voted against the resolution to grant planning permission.

345 **P0937.15 - 1 DRUCES COTTAGES, HACTON LANE, HORNCHURCH - SINGLE STOREY REAR EXTENSION**

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

346 **P1139.15 - 12 WILLOW PARADE, MOOR LANE, CRANHAM**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition that no animals were to be kept on the premises overnight unless a sound proofing scheme first implemented in accordance with details to be submitted and agreed by the Council.

347 **P1317.15 - 127 AVON ROAD, CRANHAM, UPMINSTER**

The application before members was for the erection of a single storey rear extension and the change of use from A1 (retail) to A3/A5 (food and drink/hot food takeaway).

The application had been called-in to the Committee by Councillor Gillian Ford on the grounds:

- This was a small shopping centre that had fifteen outlets; four outlets were currently A3/A5.
- Adding a further A3/A5 outlet would compromise the diversity of the area.
- This out of town shopping centre was not served by a public car park; additional diners to the area could be a potential parking problem.

With its agreement Councillor Gillian Ford addressed the Committee.

Councillor Ford confirmed that there was in fact seventeen outlets in the parade and that five now had A3/A5 use classes. Councillor Ford commented that there was currently a pending planning application for the former shoe repairers in the parade also applying for A3/A5 use. Councillor Ford also commented that there was now too many eateries in the area which was affecting the diversity of the parade of shops. Councillor Ford concluded by commenting that more eateries in the area could lead to parking problems and instances of anti-social behaviour.

During a brief debate Members discussed the number of eateries in the area and possible issues of anti-social behaviour.

Members also received clarification of the number of diners the restaurant would be looking to cover and discussed both the financial and employment benefits that bringing the empty unit back into operation could provide.

Following a motion to refuse the granting of planning permission which was lost by 8 votes to 3 it was **RESOLVED** to grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 8 votes to 3.

Councillors Misir, Best, J. Crowder, P. Crowder, Kelly, Whitney, Martin and Williamson voted for the resolution to grant planning permission.

Councillors Donald, Hawthorn and Nunn voted against the resolution to grant planning permission.

348 **P1117.15 - TOWERS INFANTS SCHOOL - SINGLE STOREY FLAT ROOF EXTENSION AND INTERNAL ALTERATIONS**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. Head of Regulatory Services to ask the Head of StreetCare to monitor any future traffic impact.

349 **P0745.12 - LAMBS LANE NORTH/NEW ROAD, RAINHAM - PROPOSED VARIATION OF SECTION 106 LEGAL AGREEMENT IN CONNECTION WITH P0745.12: CORNER OF LAMBS LANE NORTH AND NEW ROAD, RAINHAM - REDEVELOPMENT TO PROVIDE 28 RESIDENTIAL UNITS, NEW ACCESS ROAD, ASSOCIATED CAR PARKING AND LANDSCAPING**

The Committee considered the report and without debate **RESOLVED** that the Head of Regulatory Services be authorised to enter 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 5 October 2012 in respect of planning permission P0745.12

The variation should be as follows:

i) Add definition of Chargee: "any mortgagee or chargee of the Registered Social Landlord or the successors in title to such mortgagee or chargee or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security"

ii) To delete clauses 9(a) and 9(b) and add a new clause 9(a) as follows:

9(a) Any Chargee shall prior to seeking to dispose of the Affordable Housing Unit pursuant to any default under the terms of its mortgage or charge give not less than one month's prior notice to the Council of its intention to dispose and:

- (i) in the event that the Council responds within one month from receipt of the notice indicating that arrangements for the transfer of the Affordable Housing Unit can be made in such a way as to safeguard them as Affordable Housing for a consideration not less than the amount due and outstanding to the Chargee under the terms of the mortgage or charge including all accrued principal monies, interest and costs and expenses incurred by the Chargee in respect of the mortgage or charge then the Chargee shall co-operate with such arrangements and use its reasonable endeavours to complete such transfer.
- (ii) if the Council does not serve its response to the notice served under paragraph 9(a)(i) within the one month then the Chargee shall be entitled to dispose free of the restrictions set out in this agreement which shall from the time of completion of the disposal cease to apply
- (iii) if the Council or any other person cannot within two months of the date of service of its response under paragraph 9(a)(i) complete such transfer for a consideration not less than the amount due and outstanding to the Chargee under the terms of the mortgage or charge including all accrued principal monies, interest and costs and expenses incurred by the Chargee in respect of the mortgage or charge then provided that the Chargee shall have complied with its obligations under paragraph 9(a)(i) the Chargee shall be entitled to dispose free of the restrictions set out in this agreement which shall from the time of completion of the disposal cease to apply

PROVIDED THAT at all times the rights and obligations in this paragraph 9(a)(i) should not require the Chargee to act

contrary to its duties under the charge or mortgage and that the Council must give full consideration to protecting the interest of the Chargee in respect of moneys outstanding under the charge or mortgage

The Developer and/or Owner to bear the Council's legal costs in respect of the preparation of the Deed of Variation irrespective of whether the matter is completed.

Save for the variation to the clauses set out above and any necessary consequential amendments to the legal agreement dated 5 October 2012 all recitals, terms, covenants and obligations in the said agreement should remain unchanged.

The planning obligations recommended in the report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations were 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.

350 **P0954.11 - FORMER EDWIN LAMBERT SCHOOL, MALVERN ROAD, ROMFORD - PROPOSED VARIATION OF SECTION 106 LEGAL AGREEMENT IN CONNECTION WITH P0954.11: FORMER EDWIN LAMBERT SCHOOL, MALVERN ROAD, ROMFORD - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE TO CREATE 35 THREE BEDROOM HOUSES, PLUS ASSOCIATED ROADS, PATHS, CAR PARKING, GARAGES AND LANDSCAPING**

The Committee considered the report and without debate RESOLVED that the Head of Regulatory Services be authorised to enter 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 4 January 2012 in respect of planning permission P0954.11.

The variation should be as follows:

- i) To amend the definition of "Chargee" as set out on page 3 of the legal agreement to: "Any mortgagee or chargee of the Registered Social Landlord or the successors in title to such mortgagee or chargee or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security";

- ii) To amend clause 4.1 (b) to read “Should not bind any Chargee of an Affordable Housing Unit;
- iii) To delete clause 4.2 and replace as follows:

Any Chargee should prior to seeking to dispose of the Affordable Housing Unit pursuant to any default under the terms of its mortgage or charge give not less than one months prior notice to the Council or its intention to dispose and:

(a) In the event that the Council responded within one month from receipt of the notice indicating that arrangements for the transfer of the Affordable Housing Unit can be made in such a way as to safeguard them as Affordable Housing for a consideration not less than the amount due and outstanding to the Chargee under the terms of the mortgage or charge including all accrued principal monies, interest and costs and expenses incurred by the Chargee in respect of the mortgage or charge then the Chargee should co-operate with such arrangements and use reasonable endeavours to complete such transfer

(b) if the Council did not serve its response to the notice served under paragraph 4.2 (a) within the one month then the Chargee should be entitled to dispose free of the restrictions set out in this Part of the Third Schedule which shall from the time of completion of the disposal cease to apply

(c) if the Council or any other person could not within two months of the date of service of its response under paragraph 4.4 (a) complete such transfer for a consideration not less than the amount due and outstanding to the Chargee under the terms of the mortgage or charge including all accrued principal monies, interest and costs and expenses incurred by the Chargee in respect of the mortgage or charge then provided that the Chargee shall have complied with its obligations under paragraph 4.2 (a) the Chargee should be entitled to dispose free of the restrictions set out in this Part of the Third Schedule which should from the time of completion of the disposal cease to apply

PROVIDED THAT at all times the rights and obligations in this paragraph 4.2 should not require the Chargee to act contrary to its duties under the charge or mortgage and that the Council must give full consideration to protecting the interest of the Chargee in respect of monies outstanding under the charge or mortgage.

The Developer and/or Owner to bear the Council’s legal costs in respect of the preparation of the Deed of Variation irrespective of whether the matter was completed.

Save for the variation to the clauses set out above and any necessary consequential amendments to the legal agreement dated 4 January 2012 all recitals, terms, covenants and obligations in the said agreement should remain unchanged.

The planning obligations recommended in the report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations were 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.

351 **P0886.15 - ANGEL WAY RETAIL PARK, ROMFORD - NEW MIXED USE DEVELOPMENT OF 350 RESIDENTIAL UNITS, A 63 BEDROOM HOTEL, GROUND FLOOR MIXED RETAIL, BASEMENT CAR PARKING AND A NEW PUBLIC SQUARE AT ANGEL WAY RETAIL PARK, ANGEL WAY, ROMFORD RM1 1JH. MINOR-MATERIAL AMENDMENT TO P2246.07 INVOLVING THE SUBSTITUTION OF REVISED PLANS**

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 planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- 31 of the residential units to be affordable in accordance with the details approved under S106BA of the Town and Country Planning Act 1990 on 18th June 2015.
- A financial contribution of £1,628,712 (subject to final indexation) to be used for educational purposes to be paid in three instalments. 33% upon the occupation of the 66th market unit; 33% upon the occupation of the 131st and 34% upon the occupation of the 197th market unit. Market units to be defined as all residential units other than the 31 affordable units referred to above.
- A highways contribution of £186,468 (subject to final indexation) for defined highways works in the vicinity of the site.
- Romford Ring Road contribution up to a maximum of £372,936 (subject to final indexation) to fund a scheme of mitigation against the impact of the development on the ring

road. The exact sum to be determined in accordance with a modelling exercise to be undertaken by the Council upon the commencement of the development. Such scheme to be approved by the Council). Payment upon first occupation or within 6 months of receipt of the modelling results.

- A town centre environmental improvements contribution of £211,330 (subject to final indexation) towards improvements to the town centre by the Council, including pavement improvements in North Street and environmental improvements to Market Square. Payment to be made in two stages, 50% upon occupation of the 86th open market unit and 50% upon occupation of the 173rd open market unit.
- Provision of police office
- A training and recruitment scheme.
- TV reception study and remediation works
- Submission of landscape management plan.
- Provision of a piece of public art in an agreed location.
- Restriction on resident parking permits.
- Public access paths
- The terms of payment of the contributions and other provisions to be as set out in the planning obligation dated 19 November 2009 as modified by resolution of the Regulatory Services Committee on 18 June 2015. All contributions to be indexed from the date of the original UU to the date of signing the new agreement.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the planning obligation prior to the completion of the obligation irrespective of whether it was completed.
- Payment of the appropriate planning obligations monitoring fee.

- That the Head of Regulatory Services be authorised to enter into the planning obligation to secure the above and upon completion of that obligation, grant planning permission subject to the conditions as set out in the report.

Chairman

Regulatory Services Committee

12 November 2015

Application No.	Ward	Address
P1015.15	South Hornchurch	Units 1, 2 and 10 Mudlands Industrial Estate
P1115.15	Upminster	The Sanctuary (Land Adj), Pea Lane
P1207.15	Romford Town	112-116 South Street

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 12th November 2015

APPLICATION NO. P1015.15
WARD: South Hornchurch **Date Received:** 13th July 2015
Expiry Date: 18th November 2015

ADDRESS: Units 1, 2 and 10 - Mudlands Ind Est
Manor Way
Rainham

PROPOSAL: Temporary (5 years) change of use of unit 1, 2 and 10 from General Industrial (B2) / Warehousing (B8) to a Recovery Facility (Sui Generis) use and the erection of external ductwork, two flues and an ancillary electricity substation (with a connection to the National Grid)

DRAWING NO(S): Location Plan, drawing no. 971-001A
Existing Roof Plan Showing Proposals, drawing no. 971-003A
Existing Plans Showing Proposals. drawing no. 971-004A
Existing Elevations Showing Proposals, drawing no. 959-005B
View From New Road, drawing no. 959-006A
New Supply Connection - Substation Location & Cable Route, drawing no. 14609/02A
GRP Enclosure For RMU & AMU - Civil Works Details, drawing no. 14609/04A
GRP Enclosure For RMU & AMU - GRP GA & Electrical Layout, drawing no. Q/14609/05A

RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site represents three industrial units within the Mudlands Industrial Estate in Rainham. The Industrial Estate is located at the junction of New Road (A1306) with Manor Way, opposite Cherry Tree Lane and there are a number of employment and industrial uses. The units to which this application relate (units 1, 2 and 10) are located on the western side of the Estate and are all single storey metal clad buildings which are supported by a steel portal frame. Externally the units all have large roller shutter doors which lead to a large loading area; forecourt and parking area.

DESCRIPTION OF PROPOSAL

This application seeks temporary planning permission to utilise units 1, 2 and 10 as a (waste) material recovery facility (sui generis use class). The proposal, in addition to the aforementioned proposed change of use, includes:

- the erection of two external ventilation ducts/flues to unit 1;
- the erection of external high-level ductwork/pipework between units 1 and 10; and
- the installation of an electricity substation and associated pipework and connections to the National Grid substation to the immediate west of the site.

Looking at the proposal in more detail, it is suggested that up to 50 tonnes of pre-shredded tyres would be imported to the site and specifically to unit 10 per day (18,250 tonnes annually). On

arriving, the material (tyres) would be transferred into a pot/container which would be moved by conveyor between unit 10 and units 1 and 2. Upon arriving in unit 1 the material would be placed in an oven and heated to 400 degrees. At such temperatures, it has been suggested that, tyres start to break down to their initial elements - oil, gas and charcoal. Oil captured from the process would then be stored in double sealed containers inside unit 1 and taken from the site, by HGV, for use as a fuel source. The gas produced would be used to generate power for the plant to run the units themselves with any surplus proposed to be passed via cable to the new substation, and then to the adjacent electricity substation into the National Grid. Once the oil and gas have been captured from the process, the residue material would be passed through a magnet conveyor to remove any metal extracts and this (the metal) and remaining charcoal compacted and/or bagged for on-ward distribution and use.

A temporary five year consent has been applied for, in view of the area designation and the long term aspirations for the area. It is proposed that site would be operational 24 hours, 7 days a week and 365 days a year. The operation it has been suggested would result in the employment of the equivalent of 20 full time jobs.

RELEVANT HISTORY

Q0248.11 - Discharge conditions 3,4,6,8 re:P1655.10
DOC Discharge PART 21-12-2011

P0599.11 - Installation of 2 x extract ventilation flues through the roof.
Apprv with cons 06-06-2011

P1655.10 - Change of use from storage or distribution (B8) to general industry (B2)
Apprv with cons 08-02-2011

P1501.99 - Portable office and Change of Use of Unit 10 to B2 Use.
Apprv with cons 24-12-1999

CONSULTATIONS / REPRESENTATIONS

Environment Agency - No objection in principle however offer the following guidance:

Flood Risk: The proposed change of use would result in a 'more vulnerable' use within flood zone 3. The use is however appropriate to the flood zone designation according to the Planning Practice Guidance (PPG). No objection is therefore raised on flooding grounds. To confirm, the site is protected by tidal flood defences and recent modelling suggests the development to be at a low risk of flooding.

Groundwater & Contaminated Land: Recommend that the requirements of the NPPF and PPG are followed in that all risks to groundwater and surface water from contamination are identified and remediation/mitigation proposed, as appropriate. In order to protect groundwater quality, no infiltration sustainable drainage systems should be constructed and any piling or other foundation designs using penetrative methods proposed should not cause preferential pathways for contaminants to migrate.

Greater London Authority - Not referable as not strictly considered a departure and throughput

does not exceed tonnage prescribed within the Town and Country Planning (Mayor of London) Order 2008.

Highway Authority - No objection.

London Borough of Havering Environmental Health - No objection subject to the imposition of a condition requiring a noise impact assessment to be submitted.

London Borough of Havering Regeneration & Partnerships - No comments received.

London Fire Brigade (Vehicle Access) - No objection.

London Fire Brigade (Water Team) - No objection.

London Riverside BID Ltd - No comments received.

National Grid - Due to the presence of National Grid apparatus in proximity of the site, the applicant should contact National Grid before any works are carried out to ensure that existing apparatus is not affected.

Transport for London - No objection.

Public Consultation:

33 properties were directly notified of this application. The application was also advertised by way of site notice and press advert. No letters of public representation have been received.

RELEVANT POLICIES

LDF

CP01 - Housing Supply

CP02 - Sustainable Communities

CP03 - Employment

CP10 - Sustainable Transport

CP11 - Sustainable Waste Management

CP15 - Environmental Management

CP17 - Design

DC11 - Non-Designated Sites

DC32 - The Road Network

DC33 - Car Parking

DC48 - Flood Risk

DC51 - Water Supply, Drainage and Quality

DC52 - Air Quality

DC53 - Contaminated Land

DC54 - Hazardous Substances

DC55 - Noise

DC56 - Light

DC61 - Urban Design

SSA12 - Rainham West

W1 - Sustainable Waste Management

W2 - Waste Management Capacity, Apportionment & Site Allocation

W3 - Energy Recovery Facilities

W5 - General Considerations with regard to Waste Proposals

OTHER

LONDON PLAN - 2.6 - Outer London: Vision and strategy

LONDON PLAN - 2.13 - Opportunity areas and intensification areas

LONDON PLAN - 3.3 - Increasing housing supply

LONDON PLAN - 4.3 - Mixed use development and offices

LONDON PLAN - 4.4 - Managing industrial land and premises

LONDON PLAN - 5.8 - Innovative energy technologies

LONDON PLAN - 5.12 - Flood risk management

LONDON PLAN - 5.17 - Waste capacity

LONDON PLAN - 5.19 - Hazardous waste

LONDON PLAN - 5.21 - Contaminated land

LONDON PLAN - 6.13 - Parking

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.13 - Safety, security and resilience to emergency

LONDON PLAN - 7.14 - Improving air quality

LONDON PLAN - 7.15 - Reducing noise and enhancing soundscapes

Draft London Riverside Opportunity Area Planning Framework (2015)

NPPF - National Planning Policy Framework

NPPW - National Planning Policy for Waste

PPG - Planning Practice Guidance

MAYORAL CIL IMPLICATIONS

Given the proposed type of development, this application is exempt from CIL contributions.

STAFF COMMENTS

It is considered that the key issues for consideration in the determination of this application are the suitability of the use and any potential implications for the long term aspirations for the area; the potential implications to the street scene from the proposed operational development; the impact on nearby amenity; and highways.

PRINCIPLE OF DEVELOPMENT

The site forms part of the London Riverside Business Improvement District and also is part of a site specific allocation, within the Council's adopted Site Specific Allocations DPD (SSA12 - Rainham West). The accompanying policy, to this area designation, states that residential and ancillary community, retail, recreation, educational and leisure uses together with appropriate employment uses will be supported. Specifically with regard to Mudlands, it is stated that only comprehensive development proposals which include an integrated mixture of employment, residential and where necessary community, leisure and recreational uses will be allowed. Single

use application will not be allowed and applications must demonstrate clearly how they enable the development of adjacent sites within the Rainham West site.

It has been suggested by the applicant that units 1 and 2 were constructed as warehousing in the early 1980s, under planning permission reference: 988/81, with ancillary office, staff welfare accommodation and associated car parking facilities. In 1987, unit 2 was converted for use as general engineering (planning application reference: P1286.87) and it is this (B2) use which is considered lawfully for the unit. Unit 1 continued to be used as warehousing (B8) until 2011 when planning permission was granted for a change of use to B2 (planning application reference: P1655.10). This permission was nevertheless only granted on a temporary basis, until 07/02/2016, as it was considered the use did not conform with the long term aspirations for the area and policy SSA12. Unit 10, unlike units 1 and 2, was constructed later (in the early 1990s). However, similarly the unit was constructed as warehousing (B8 use). In the late 1990s, under application reference: P1501.99, the use of the site was nonetheless permanently changed from B8 to B2.

The area to which this application relates is designated for future re-development. Policy SSA12 - Rainham West of the Council's Site Specific Allocations DPD, together with information contained within the draft London Riverside Opportunity Area Planning Framework, outline the future aspirations for this area and, principally, it is not necessarily considered that a sui-generis waste use would comply with this vision. That being said, it is noted that the applicant has only sought a temporary five year permission for the use and in the context of the scale of the re-development strategy, it is not considered that a five year permission would prejudice any such proposals coming forward. For the aforementioned reason it is not considered that a principle land-use objection can be raised on the basis of the designation within the LDF. This is subject to any planning permission issued being temporary in nature and an appropriately worded condition being imposed to ensure that the use permitted is time limited to five years.

With regard to the proposed change of use, to (waste related) sui-generis, the NPPW details that local planning authorities should consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together with complementary activities, when considering waste related applications. Expanding on this, it is detailed that priority should be given to the re-use of previously developed land, sites identified for employment uses and redundant agricultural and forestry buildings and their curtilages and this policy steer is broadly replicated in policy W2 of the Joint Waste Development Plan for sites not identified in Schedule 1 or Schedule 2 (preferred sites for waste management). In this case, although Mudlands Industrial Estate is not formally designated as an employment or industrial area, it has been previously, and it is considered that the site is potentially suitable for a waste use. A more detailed assessment in respect of relevant planning policy and local criteria can nevertheless be found in the following sections of this report.

The NPPW furthermore, with regard to this proposal, states that local planning authorities should only expect applicants to demonstrate a quantitative or market need for new waste management facilities where proposals are not consistent with an up-to-date Local Plan. In respect of the date of adoption of the Joint Waste Development Plan and the above opinion in respect of policy SSA12, it is not considered such justification is required, in this instance.

DESIGN / IMPACT ON STREET / GARDEN SCENE

This is an application for a temporary five year planning permission. In context of this and the projected timetable for the wholesale re-development of this area, it is considered that the area, as existing, is the appropriate baseline for assessing the landscape impact of the development rather than how the area is envisaged in the future.

Looking at the operational development proposed by this application; the flue required in respect of the engine (the larger of the two) would measure 4.7m from the roof ridge with the second, safety, flue measuring 1m from the roof ridge. Both flues would have a 350mm diameter and would be finished in galvanised steel. The ductwork/pipework connection between unit 10 and unit 2 would be circa 3.8m above ground level and would measure approximately 1.75m in length. The link would be 1m wide and 0.8m high, finished in galvanised steel to match the cladding of the building.

In context of the site location, and the adjacent built form, no principle objection is raised to the works proposed as part of this application. The flues, although projecting above the existing roof ridge, would be obscured at street level, on New Road, by adjacent development and, in any respect, are not generally considered of a scale or nature that would be deemed uncharacteristic for the area. It is not therefore considered that sufficient reason for refusal exists on design grounds, and in-particular relevant guidance and criteria detailed in policy DC61 of the LDF.

Turning to the electricity substation proposed, this would be located in the forecourt of unit 10, at the front of the site facing Manor Way. The substation itself would measure 3.7m by 3m and would be 2.35m high. It is proposed that the substation would be clad in green to match existing substations in the area. Although the development line of the buildings, along this aspect of Manor Way, is set considerably back from the roadside, it is noted that the forecourts of many of the adjoining units have been utilised for storage, up to the palisade fencing height (circa 2m). The installation of a substation within the forecourt of unit 10 it is therefore not considered to be harmful to the streetscene. In terms of precedent it is furthermore not considered that approval of such development would give rise to other applications seeking to extend the unit premises further towards the road side. In respect of this and the long term aspirations for the area, it is considered unlikely that current landowners or occupiers would consider such development proposals viable in consideration that the area is designated for redevelopment.

IMPACT ON AMENITY

Policy DC61 of the Council's LDF, in-part, details that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties and has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments; or prejudices the satisfactory development of adjoining land and/or the development of the surrounding area as a whole. Expanding, and to some degree replicating this, policy W5 of the Joint Waste DPD details that planning permission for a waste related development will only be granted where it can demonstrate that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. In respect of this application, it is considered the main areas of consideration are noise and air quality.

Noise: Policy DC55 of the LDF together with policy 7.15 of the London Plan, states that planning permission will not be granted if development will result in exposure to noise or vibrations above acceptable levels affecting a noise sensitive development. Operations are proposed to be 24 hours a day, an increase above that currently permitted. However, it is noted that all operations would be housed within the confines of the building, and as all material would be moving via conveyor it is not considered the process, per se, should be excessively noisy. The NPPF with respect to licensed activities or sites, which this site would be (whether it be by the Environment Agency or the London Borough of Havering), states that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. In context of this, the Council's Environmental Health department have recommended the imposition of a condition requiring the submission of a noise impact assessment and a maximum noise level of the site of -10dB LA90 at the nearest sensitive property. Subject to the imposition of the condition requested it is not considered that the development would result in noise levels sufficient to warrant refusal. In respect of the 24 hour working, this is a historical industrial/employment area and it is not considered that such operating hours would be out of character or to the detriment of any nearby amenity.

Air quality: Policy DC52 of the LDF, supported by policy 7.14 of the London Plan, states that planning permission will only be granted where new development, both singularly and cumulatively, does not cause significant harm to air quality, and does not cause a breach of the targets set in Havering's Air Quality Management Area Action Plan. An Air Quality Assessment has been submitted in support of this application. The conclusion of this is that for pollutants considered (NO₂, PM₁₀, PM_{2.5} and SO₂) there would be no exceedence of relevant standards. The impact for the properties along New Road is deemed 'slightly adverse' however this, it is suggested, is because the air quality is already poor (high levels of NO₂) in the area. In consideration of this, and that no contrary views have been expressed by the Council's Environmental Health department, it is considered that the application complies with policy DC52 of the LDF.

HIGHWAY / PARKING

For the proposed plant to work efficiently up to 50 tonnes of shredded tyres would need to be delivered to the site per day. To achieve this it is proposed that shredded tyres would be delivered twice a day via HGV with these HGVs then, as required, being used to transport the charcoal output. Four tankers (eight vehicle movements) are proposed to facilitate the collection of oil (diesel) per week; and one small non-articulated truck/lorry would remove the scrap metal per week.

Policy CP10 of the LDF seeks to ensure that new development does not overload the capacity of the public transport and strategic road networks, including the motorway network. Expanding on this, policy DC32 details new development which has an adverse impact on the functioning road hierarchy will not be allowed. The Highway Authority has not raised any objection to the application and as such it is not considered that the application would adversely impact on highway safety or efficiency. In respect of car parking, it has been suggested that approximately seven members of staff would be on-site at any one time and there is more than sufficient parking provision to accommodate this many vehicles. The site would not be open to the public and therefore should not attract visitor traffic.

OTHER ISSUES

Flood Risk & Risk Assessment: The site falls partially within flood zone 2 and partially within flood zone 3. A site specific flood risk assessment has not been submitted with the application as the proposals do not include the provision of any new hard surfacing or extensions. In this regard it has been suggested that surface run-off rates would remain the same as existing. In the event of flooding, the plant can be manually shut down and as there is no proposed external storage, material would not leave the premises. Should water enter the premises, the oil (diesel) and gas are sealed and the charcoal is bagged so there should not be any risk of pollution contamination.

The use of the site as a tyre recovery facility has been defined by the Environment Agency as a less vulnerable (waste treatment) use in respect of the Flood Risk Vulnerability Classification within the Planning Practice Guidance. Less vulnerable uses are deemed appropriate in flood zone 3 and in context of this the Environment Agency have raised no objection, in principle, to the application.

Environmental Impact Assessment:

The development is not representative of a Schedule 1 project as detailed within the Town and Country Planning (EIA) Regulations 2011 (as amended). However, the development does fall within Schedule 2 under paragraph 3 (Energy Industry), Class a (Industrial installations for the production of electricity, steam and hot water; paragraph 10 (Infrastructure Projects), Class a (Industrial estate development projects); and paragraph 11 (Other projects), Class b (Installations for the disposal of waste). The screening threshold for such projects is the area of development exceeds 0.5ha; the disposal is by incineration; and/or the site is within 100m of any controlled waters. Given the above, the development was screened and it was deemed that the development did not require EIA as it was considered that the development would not result in any impacts of more than local significance.

KEY ISSUES / CONCLUSIONS

In the absence of significant environmental or amenity impacts it is considered that, for a temporary period, the use proposed for units 1, 2 and 10 is acceptable. Although this site does form part of the London Riverside Business Improvement District and is within a Site Specific Allocation (SSA12 - Rainham West) within the LDF it is not considered that the development would adversely prejudice the future aspirations for the area and prevent such re-development coming forward or occurring. The development would bring three units, in this historical employment/industrial area, into an active use and in context of this and that the use generally complies with the provisions of the National Planning Policy for Waste and the Joint Waste Development Plan, it is considered that the development would bring about sufficient short-term economic benefits to render the development sustainable, as per the definition within NPPF. As such it is recommended that planning permission be granted for a temporary five year period subject to conditions.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC17 (Temporary use) INSERT DATE

The permission hereby granted shall be for a limited period only, expiring five years from the date of issue. After this date the use shall be discontinued and the site reinstated to its

former condition and use, to the satisfaction of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to retain control.

2. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

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 Development Control Policies Development Plan Document Policy DC61.

3. Non Standard Condition 31

The throughput of materials/shredded tyres imported to the site shall not exceed 18,250 tonnes per annum of which no more than 50 tonnes shall be imported in any one day.

Reason: To minimise the harm to the environment, to ensure the development does not adversely impact on local infrastructure and to comply with the Development Control Policies Development Plan Document Policies DC32, DC52, DC55 and DC61 and Joint Waste Development Plan Policy W5.

4. SC25 (Open storage)

No deposition, storage, processing, handling or transfer of materials shall take place in the open, outside of the units/buildings to which this application relates.

Reason:-

In the interests of visual amenity and that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. SC43 (Noise level) ENTER DETAILS

Noise levels from the use hereby permitted, when expressed as an equivalent continuous sound level LAeq (1 hour), shall not at any time exceed LA90 -10dB, when measured at the boundary with the nearest residential property. With regard to this, the Local Planning Authority may at any time request that noise monitoring be undertaken to demonstrate this, with the results of such monitoring being submitted to the Local Planning Authority, for review, within one month of the date of request.

Reason:-

To prevent noise nuisance to adjoining properties and in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

6. SC19 (Restricted use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be solely as a recovery facility for pre-shredded tyres. No other materials shall be imported, stored, handled or processed on-site and no tyres shall be shred on-site, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application and to ensure that the development accords with the Development Control

INFORMATIVES

1. **Fee Informative**

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

2. **Approval - No negotiation required**

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 12th November 2015

APPLICATION NO. P1115.15
WARD: Upminster

Date Received: 27th July 2015
Expiry Date: 21st September 2015

ADDRESS: The Sanctuary (Land Adj)
Pea Lane
Upminster

PROPOSAL: Temporary car park from existing access.

DRAWING NO(S): 1619/5 (Site layout and location plan)

RECOMMENDATION It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

CALL-IN

The application has been called in to the Regulatory Services Committee by Councillor Linda van den Hende for the following reasons:

The new application does in my view cover all the issues previously set out as reasons for rejection, primarily as its in the Green Belt. The car park is temporary, will be made of materials which can be easily removed and the land which is currently in the corner of a farmers field and unused for crops, can be returned to agriculture. The planting of trees along the boundary of the area will shield the car park and indeed enhance an area which is currently unsightly and after the car park is returned to agriculture will be a lasting enhancement. It will improve the business of The Sanctuary and enable the existing car park close to the treatment rooms to be allocated exclusively for disabled parking.

SITE DESCRIPTION

The application site is located on the western side of Pea Lane, some 100m north of its junction with Dennises Lane. The site is roughly rectangular in shape and is some 700sqm in area. The site forms part of a large paddock and is largely flat. It has a mature hedge along the road boundary, and is currently accessed off an existing access off Pea Lane, shared by a farm track.

The site is located in a rural setting consisting largely of arable land. The site is adjacent to a health centre to its south, known as The Sanctuary. The site is some 150m west of the M25.

DESCRIPTION OF PROPOSAL

The application proposes to utilise the application site as a car park, to be used in conjunction with The Sanctuary health centre.

The site would have 13 car parking spaces. The existing hedge along the road boundary of the site would be retained and a new hedge is proposed along the western boundary of the site. The proposal also includes a row of apple trees to be planted along the eastern boundary of the site, just inside the mature hedge along the road boundary. The site would utilise the existing access off Pea Lane, and would be surfaced in permeable gravel.

RELEVANT HISTORY

- P0099.15 - Formation of car parking to be used in conjunction with The Sanctuary health centre (Amended Description).
Refuse 16-03-2015
- E0014.14 - Certificate of Lawfulness for the building to be D1 use which includes 4 No treatment rooms, a classroom and parking within the curtilage
PP not required 13-11-2014
- P0358.14 - Ground floor rear extension.
Withdrawn 20-05-2014

CONSULTATIONS / REPRESENTATIONS

Public Consultation:

The proposal was advertised by way of a site notice and in the local press as development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development Control Policies Development Plan Document. In addition, 8 neighbouring occupiers were directly notified of the application via letter. No representations were received as part of the public consultation process.

Internal Consultees:

Highways - No objections.

English Heritage Archaeology Advosor - No objections.

RELEVANT POLICIES

LDF

- CP14 - Green Belt
CP8 - Community Facilities
DC26 - Location of Community Facilities
DC33 - Car Parking
DC45 - Appropriate Development in the Green Belt
DC61 - Urban Design
DC62 - Access

OTHER

LONDON PLAN - 3.17 Health and social care facilities

-

LONDON PLAN - 7.16 Green Belt

-

LONDON PLAN - 7.4 - Local character

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

STAFF COMMENTS

The main considerations in this case are the principle of development, Green Belt implications, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

BACKGROUND

A previous application under P0099.15 was refused under delegated powers for the following reasons:

1. The subject application is not considered to be acceptable in principle, as it conflicts with the purposes of including land within it. The use of the proposal is deemed to be an inappropriate form of development within the Green Belt in accordance with Policy DC45 of Council's DPD, and there are no special circumstances which would warrant its approval under Policy 9 of the NPPF. On this basis, the subject application is not considered to be consistent with Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document 2008, or with the National Planning Policy Framework 2012.

2. The proposed development and resultant use of the land as a car park would create conditions that are incongruous in this rural setting and detrimental to visual amenity of the locality and the open character of the Green Belt at this point, contrary to the provisions of DC61 of the Core Strategy and Development Control Policies DPD and the National Planning Policy Framework.

The only difference between the current submission and the previous refusal is the addition of a row of apple trees along the eastern boundary of the site, the increase of parking spaces from 12 to 13 and additional information submitted to make a case for very special circumstances.

GREEN BELT IMPLICATIONS

It is noted that the application site falls within the Metropolitan Green Belt.

Policy DC45 of the Council's Core Strategy and Development Control Policies DPD outlines a list of activities which are considered to be appropriate within the Green Belt. The proposal is not considered to be acceptable as it would be contrary to this policy as it is for the creation of a car parking area in association with a health centre, which is not within the list of activities deemed appropriate in the Green Belt in accordance with Policy DC45.

Whilst it is acknowledged that the proposal would be used in association with an existing lawful use in the area (i.e. a health centre known as The Sanctuary), the existing use did not benefit from any planning permission, it was deemed to be lawful under a Certificate of Lawful Existing Development (E0014.14). This means that the impact of the proposal on the environment (including those on the integrity of the Green Belt) was not considered as part of a planning application process, and the existing use has not been determined to be an appropriate use of Green Belt land from a planning perspective.

The proposal would physically extend this use onto a neighbouring property and would further encroach into Green Belt land, which is not considered to be acceptable in this case, given the use is contrary to Policy DC45.

Policy 9 of the National Planning Policy Framework 2012 (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The subject proposal is determined to be an inappropriate development as it does not fall within any of the categories of development listed as acceptable within the NPPF. Such development should not be approved unless very special circumstances exist to outweigh the in principle harm and any other harm to the openness of the Green Belt.

As part of making a case of very special circumstances the applicant has explained that The Sanctuary team work tirelessly to promote the holistic well being of all visitors. The Sanctuary have established a Children's Clinic caring for children with special needs. A large part of the work involves treating children and adults with limited mobility who often require mobility frames, wheelchairs and crutches. The clients/patients often arrives in large vehicles due to their physical needs and therefore requires a larger car park. The Sanctuary's work has developed enormously and also incorporates palliative care for very ill patients which is another area where safe parking is essential.

The car park perimeter will be planted with indigenous hedging and heritage apple trees to provide habitat. A stumpery will be formed for insects and wildlife and the embankments planted with herbs and wildflowers. The car park will be constructed with natural permeable materials.

It is noted that the proposal incorporates additional native planting and improvements to the site and Officers acknowledges the services offered by The Sanctuary. The Sanctuary provides a wide range of holistic therapies and treatments, not just to clients with particular medical needs, and it is noted that it has a smaller, in curtilage parking area already that is used for deliveries and provides 3 no. disabled parking bays. Staff are therefore of the opinion that the very special circumstances provided does not justify the impact on the Green Belt, such a large parking area would have.

On this basis, the subject application is not considered to be acceptable in principle and would have a detrimental impact on the Green Belt due to being an inappropriate use.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The subject application does not have a significant detrimental impact on the openness of the green belt. Nevertheless, the construction of a car parking area on this presently undeveloped land would create conditions that are visually inappropriate in this relatively rural, Green Belt setting. Although the landscape screening would serve to mitigate visual impact as seen from the road it is nonetheless judged that the use of the land for car parking would be visually incongruous in this rural setting.

IMPACT ON AMENITY

The proposal would not have any significant impact on the residential amenity of neighbouring occupiers as there are no residential properties within close-proximity to the site, other than the Dennises Cottages at the junction of Dennises Lane and Pea Lane. The proposal would be located

away from these properties and would be screened by existing vegetation and are not expected to have a detrimental impact on their amenity.

HIGHWAY / PARKING

Council's Highways Division has reviewed the application and has no objections. The proposal would provide additional off-street parking for the adjacent health centre and is considered to be acceptable from a highways perspective. The proposed entrance would have good sight lines and the car park is of a logical layout with sufficiently sized car parking spaces.

KEY ISSUES / CONCLUSIONS

The subject application is not considered to be acceptable in principle, as it conflicts with the purposes of including land within it. The use of the proposal is deemed to be an inappropriate form of development within the Green Belt in accordance with Policy DC45 of Council's DPD, and there are no very special circumstances which would warrant its approval under Policy 9 of the NPPF. The proposed use of the land is considered to create conditions which are visually out of keeping with this rural setting and detrimental to the character and appearance of the locality.

On this basis, the subject application is not considered to be consistent with Policy DC45 of the Core Strategy and Development Control Development Plan Document 2008, or with the National Planning Policy Framework 2012.

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the following reason(s):

1. Reason for refusal - Metropolitan Green Belt

The subject application is not considered to be acceptable in principle, as it conflicts with the purposes of including land within it. The use of the proposal is deemed to be an inappropriate form of development within the Green Belt in accordance with Policy DC45 of Council's DPD, and there are no very special circumstances which would warrant its approval under Policy 9 of the NPPF.

On this basis, the subject application is not considered to be consistent with Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document 2008, or with the National Planning Policy Framework 2012.

2. Refusal non standard Condition

The proposed development and resultant use of the land as a car park would create conditions that are incongruous in this rural setting and detrimental to visual amenity of the locality and the open character of the Green Belt at this point, contrary to the provisions of DC61 of the Core Strategy and Development Control Policies DPD and the National Planning Policy Framework.

INFORMATIVES

1. Refusal - No negotiation

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 12th November 2015

APPLICATION NO. P1207.15
WARD: Romford Town **Date Received:** 1st September 2015
Expiry Date: 1st December 2015

ADDRESS: 112-116 South Street
Romford

PROPOSAL: Change of use of part ground floor and four upper floors (Use class A3) to Hotel (C1) including extension to side elevation.

DRAWING NO(S): 15-102/01
15-102/04
15-102/05
15-102/06
15-102/08
15-102/09

RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application relates to the premises 112-116 South Street, Romford. This is a 4-storey commercial block with an A1 retail store at ground floor level and storage areas in the upper floors. The site is in a prominent location adjacent to Romford Train Station and on the fringe of the Romford Major District Centre. The surrounding area is characterised by town centre commercial uses. The site is subject to an LDF Site Specific Allocation as it lies within a Crossrail Safeguarded Land Area. The premises is registered in Havering's Heritage Asset Register as a Building of Local Heritage Interest.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the change of use of part of the ground floor and the four upper floors from storage to a hotel (use class C1) including an extension to side elevation.

This application follows planning permission P0818.14 granted in October 2014 for a similar change of use proposal. The current application differs in that an additional extension would be added at second, third and fourth floor levels on the flank elevation adjacent to The Battis. This would be used to house a new lift shaft for hotel guests as well as additional guest rooms. The external fire escape staircase on the second floor roof flat roof area would also be encased in brick and render to create a more attractive appearance for The Battis flank elevation.

The proposal would involve a reconfiguration of the internal layout in comparison to the previously approved scheme. However, as with the earlier application the proposal would involve the formation of an entrance lobby to the side and rear of the ground floor. Access would be gained via the widening of an existing doorway with the addition of a small canopy leading onto the side street The Battis.

The first, second, third and fourth floors would be refurbished and partitioned to form 47 hotel rooms comprising 12 rooms respectively on the first, second and third floor levels and 11 rooms on the fourth floor. In addition to the hotel rooms the first floor would include a reception area and an associated office and kitchen and staff room. At second floor level the proposed scheme has been amended from the previously approved scheme with the removal of the seating area on the external flat roof area.

As with the previous scheme the proposal would involve the same external alterations to the South Street elevation, which would involve the lengthening of the linear windows by approximately 0.86 metres (the equivalent to 3 of the facade tiles) on the eastern elevation in order to lower the cill levels within the hotel rooms to enable outlook from the windows. 6no. up-lights will be installed above the existing shop fascia to illuminate the eastern elevation.

RELEVANT HISTORY

- P0818.14 - Change of use of part ground floor and four upper floors (Use class A3) to Hotel (C1)
Apprv with cons 03-10-2014
- P1463.13 - Change of Use to D2 Gym with associated internal alterations.
Apprv with cons 07-03-2014
- P1559.05 - Conversion of upper storeys into 22 self-contained flats. Change of use of ground and basement to A3 restaurant.
Refuse 26-10-2005
- P0031.05 - Conversion of upper storeys into 22 self-contained flats
Withdrawn 22-02-2005
- P2325.03 - Change of use of basement ground and first floor from class A1 shop to class A3 (food and drink)
Apprv with cons 08-03-2004

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 84 properties and no representations have been received as a result of the neighbour consultation.

Romford Civic Society - no comments.

London Fire Brigade Water Team - no objection.

London Fire and Emergency Planning Authority - no objection.

Thames Water - no objection, recommended informatives relating to waste water, surface water drainage and water are included in any approval notice.

Essex & Suffolk Water - no objection.

Designing Out Crime Officer - no objection, recommended a condition relating to Secured by

Design are included in any approval notice.

Environmental Health - no objection, requested conditions relating to noise insulation and extraction ventilation .

Local Highway Authority - no objection.

Network Rail (Crossrail) - no objection.

RELEVANT POLICIES

LDF

DC14 -	Hotels
DC33 -	Car Parking
DC36 -	Servicing
DC61 -	Urban Design
DC67 -	Buildings of Heritage Interest
ROM6 -	Respecting the Historic Environment
SPD1 -	Designing Safer Places SPD

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development would create an extension with 108 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £2160.00 (subject to indexation) based on the calculation of £20.00 per square metre.

STAFF COMMENTS

The main considerations for this application is its siting within a Crossrail Safeguarded Land Area, the principle of the change of use to a non retail use within a town centre, the impact on amenity and any highway issues.

PRINCIPLE OF DEVELOPMENT

Policy DC14 states that Romford is the preferred location for large scale hotel development and advises that hotels strengthen the wider role of town centres and provide a range of employment opportunities. The supporting text refers to the GLA hotel Demand Study 2006 which states that between 2007 and 2026 an additional 300 hotel bedrooms will be required in Havering.

Policy 4.5 of The London Plan states that new visitor accommodation should be focused in town centres, where there is good public transport access to central London and international and national transport termini. In terms of accessibility the site occupies a highly accessible and sustainable town centre location close to the main railway station, on numerous bus routes and close to the South Street Bus terminus.

The site lies within a Crossrail Safeguarded Land Area, however following consultation with Network Rail, it is not considered that the application will have any undue impact on future Crossrail proposals for Romford Station. Therefore with regard to this issue the proposal is

considered to be acceptable in principle.

Policy DC16 states that all shop fronts in retail core and fringe areas must be active and maintain the impression of a visual and functional continuity to aid in enhancing the vitality of the town centre. Although his application proposes a change of use, the ground floor unit will remain in an A1 retail use and will not result in the loss of an active shopping frontage. The proposal will serve to make active use of areas of the building not currently unoccupied or used for storage.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The site is registered in Havering's Heritage Asset Register as a Building of Local Heritage Interest and Policy ROM6 states that developers will be required to take into account the regeneration potential of these buildings.

The original use of the premises was as the 'Times Furnishings' furniture store, built in the 1930s. The building incorporates an Art-Deco style, with characteristic strong linear features and proportions in the fenestration pattern, regular columns and a tile facade. It is demonstrative of a wave of Art Deco-style construction on South Street during the 1920s-30s.

The building uses high quality materials and design indicative of its era, and has a substantial presence in the streetscene at South Street. The eastern elevation of the building onto South Street is the key element of significance in the building and contributes positively to the the character of the area.

The fenestration pattern is a key element of the building's design and the internal cill height on the existing east elevation is 1.8 metres - so whilst the existing window arrangements could provide adequate light and ventilation into the proposed hotel bedrooms there would be no view or other amenity for the hotel guests. As a result the existing windows restrict the potential uses for the upper floors and limit the suitability to storage in its current format. Therefore the reason for dropping the level of the window cills by approximately 0.86 metres, which is the equivalent to 3 of the facade tiles, is considered to be a sufficient justification to turn the vacant historic building into a viable use.

Following consultation with the Heritage Officer for the same alterations under application P0818.14, the window lengthening element of the proposal was been reduced by approximately 300mm (equivalent to 1 facade tile) in order to lessen the impact on the character of the elevation. Although the windows would be slightly longer, their regular bay pattern and strong linear emphasis would still be present, and the east facade would remain the most striking element of the building.

The proposed extension at second floor level would be set back from the main South Street elevation and would not interfere with the setting or appearance of this characterful elevation. Overall the proposed extension would largely be absorbed into the bulk and massing of the existing building as well as the larger section of the building to the rear of the site.

The intention to encase the fire escape on the north elevation in brick and render is considered an improvement to the current exposed staircase.

As with the previously approved scheme the installation of windows in the fourth floor mansard roof is considered to be an acceptable alteration. The windows are sufficiently in keeping with the fenestration pattern on floors below, being placed centrally and at regular intervals along the frontage.

As a result it is considered that the proposed external alterations will be sympathetic to the character of the locally listed building will serve to maintain the character and appearance of the streetscene along this section of South Street.

IMPACT ON AMENITY

Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

Romford town centre has ongoing issues in relation to anti-social behaviour and noise in the early hours attributed to nearby drinking establishments on South Street. However, the intended use of the building as hotel accommodation, by its very nature, means that occupation would be transient and as such it does not justify the same levels of amenity as would typically be required for private dwellings.

Given the nature of the proposal, including its location and the separation distances between it and the nearest sensitive receptors, it is considered that the proposed hotel would not result in any significant adverse impacts on the amenities of neighbouring occupiers. In terms of the likely impacts on local and residential amenity, it is considered that the proposal would be in accordance with Policy DC61.

HIGHWAY / PARKING

The Local Highway Authority has raised no objections or comments in relation to the proposal.

The proposed hotel use would be located within the town centre close to rail and bus transport links and town centre car parks. As a result the proposal is not expected to provide off street car parking.

Consequently the proposed hotel use is considered to be acceptable on highway and parking grounds.

The proposed plan indicates a refuse store would be located in the alley way to the rear of the building accessed directly from The Battis. Further details of the refuse storage arrangements would be requested via conditions.

FLOOD RISK

The site lies within Flood Zone 1 and the current permitted restaurant use is classified as 'less vulnerable' and the proposed hotel use would be classified as 'more vulnerable'.

The Environment Agency has raised no objection to the proposed change of use as the submitted Flood Risk Assessment and evacuation plan documents have demonstrated that the occupants of the hotel will have an access and egress point at the south side of the building. This area is in

Flood Zone 1 and should therefore be dry if there was to be a flood from the Blacks Brook or the River Rom.

KEY ISSUES / CONCLUSIONS

The proposed hotel would be located in a sustainable town centre location and would not result in a loss of active street frontage.

The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

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. (Materials) (Pre Commencement Condition)

Before any of the development hereby permitted is commenced, samples of all external materials to be used as part of the alterations to the building, including details of the aluminium window frames and glazing, 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:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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. Cleaning front facade (Pre Commencement Condition)

Before any of the development hereby permitted is commenced, a method statement for cleaning the tiled front facade shall be submitted to and approved in writing by the Local Planning Authority. The cleaning method statement shall include details of testing a discrete sample panel before the whole frontage is treated.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the cleaning methods to be used. Submission of the cleaning method statement prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 and DC67 of the Development Control Policies Development Plan Document.

4. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

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.

5. SC62 (Hours of construction)

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:-

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

6. SC63 (Construction Methodology) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:-

Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

7. Noise insulation

The building shall be so converted as to provide sound attenuation of not less than L'nT,w dB (maximum values) against impact noise.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

8. SC42 (Noise - New Plant) (Pre Commencement Condition)

No building shall be occupied or use commenced until a scheme for the new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive property shall not exceed LA90 -10dB. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

Reason:-

Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

9. Noise - nightclub (Pre Commencement Condition)

Before the development hereby permitted is commenced, a scheme for protecting the proposed building from noise from the adjacent nightclub (currently named Liquid & Envy) shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before the hotel is first brought into use.

Reason:-

Insufficient information has been supplied with the application to assess the noise levels of the from the adjacent nightclub. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

10. Noise & Vibration (Pre Commencement Condition)

Before the use commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

11. Extract Ventilation (Pre Commencement Condition)

Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be designed and certified by a competent engineer and after installation a certificate to be lodged with the Planning Authority. Thereafter, the equipment shall be properly maintained and operated within design specifications during normal working hours.

Reason:-

Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

12. SC61 (Railway noise assessment) (Pre Commencement Condition)

No works shall take place in relation to any of the development hereby approved until an assessment of the impact of:

- a) railway noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995) and;
- b) vibration from the use of the railway lines upon the site; is undertaken and a scheme detailing the measures to protect future residents from railway noise and vibration is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupancy taking place.

Reason:-

Insufficient information has been supplied with the application to judge the impact of transportation noise and vibration upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of transportation noise and vibration, in accordance with Development Control Policies Development Plan Document Policies DC55 and DC61.

13. SC78 (Secure by Design) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until a full and detailed application for the Secured by Design award scheme is submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

Reason:-

Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

14. SC58 (Refuse and recycling)

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

2. Thames Water informative

With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface

water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

3. Fee Informative

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

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REGULATORY SERVICES COMMITTEE

12 November 2015

REPORT

Subject Heading:

P0760.15 - 268-272 North Street,
Romford

Additional storey and conversion of existing first floor office to create a total of 8 flats. (Received 27/05/15 and revisions received 15/07/15, 14/09/15)

Ward:

Pettits

Report Author and contact details:

Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

- Havering will be clean and its environment will be cared for []
- People will be safe, in their homes and in the community [X]
- Residents will be proud to live in Havering [X]

SUMMARY

This application was presented to the Regulatory Services Committee meeting on 1st October 2015 with a recommendation for approval. Following a debate, the Committee resolved to defer the application to enable Officers to negotiate a reduction in number of units from 8 to 7 in order to improve density and the scheme's wider compliance with guidance, space standards and amenity. The applicant has declined to reduce the amount of units as it would not be viable and has requested that the current application for 8 units be determined in its current form.

The proposals before the Committee are the same as those previously presented on 1st October 2015 and comprise an additional storey to the existing two-storey building and the creation of 5 x 2-bed and 3 x 1-bed apartments with the retail unit retained on the ground floor.

The application raises considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents and the suitability of the proposed parking and access arrangements.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 180m² and amounts to £3,600.

That the proposal is unacceptable as it stands 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:

- A financial contribution of £48,000 to be used for educational purposes
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.

- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement 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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

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.

4. Parking Provision

Before any of the flats hereby permitted are first occupied, the car parking provision shall be laid out to the full satisfaction of the Local Planning Authority and be made available for 8 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

5. External Materials

No works shall take place in relation to any of the development hereby approved until samples of the external finishing materials, which shall match those of the existing building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external finishing materials to be used. Submission of samples prior to commencement will safeguard the appearance of the premises and the character of the immediate area and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

6. Landscaping

No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

7. Refuse and Recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. Cycle Storage

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

9. Noise Insulation (Flats)

The building(s) 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 with Development Control Policies Development Plan Document Policies DC55 and DC61.

10. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

11. Secure By Design

No works shall take place in relation to any of the development hereby approved until a full and detailed application for the Secured by Design award scheme is submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

12. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the

amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

13. Noise Assessment

Prior to the commencement of any development an assessment shall be undertaken of the impact on road noise emanating from (North Street and the A12 Eastern Avenue) upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures, which are to protect occupants from road noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: Insufficient information has been supplied with the application in relation to the impact of road noise emanating from the A12. Submission of details prior to commencement will ensure that a noise assessment will evaluate the potential impact on residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

14. Obscure glazing

The proposed second floor window in the northern elevation serving the kitchen/lounge/dining area and the proposed windows at second floor to plot 3 serving a bathroom and a bedroom shall be permanently glazed with obscure glass.

Reason:

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

15. Balconies

The flat roof area on the first and second floor shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:

In the interests of the amenity of the occupiers of neighbouring dwelling, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

16. Wheel washing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.

e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason:

Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent via email on 2 July 2015. The revisions involved changing the design of the additional storey from a mansard roof design to a flat roof. The amendments were subsequently submitted on 13 July 2015.
3. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £3,600.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
4. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217

3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.

5. 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.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a two storey building which is situated to the eastern side of North Street, Romford approximately 50m from the junction with Eastern Avenue (A12). The premises currently has a retail use at ground floor and office use (B1a) at first floor.
- 1.2 The surrounding area is characterised by a mixture of commercial and residential development.

2. Description of Proposal

- 2.1. The proposal is for the addition of a second storey and a change of use of the first floor from office to residential in order to create 5 x 2-bed and 3 x 1-bed apartments.
- 2.2 The proposed additional storey would be set in at least 1m from the front and side building lines and will be finished with a flat roof. The overall height of the building would be 10.6m to the top of the flat roof.
- 2.3 On-site parking will be provided for 8 no. vehicles to the rear/side of the site with access onto Parkside Avenue.
- 2.4 Refuse storage and cycle storage would be provided next to the parking area at the rear/side of the site.

3. Relevant History

- 3.1 P0593.14 - Additional storey to part of existing building to create three residential flats - Withdrawn

- 3.2 J0005.13 - Prior approval request for a change of use from office to residential of the first floor only - Prior approval not required
- 3.3 P1231.13 - External alterations to north elevation to create a first floor courtyard - Approved with conditions

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 22 properties and 4 letters of objection were received. The comments can be summarised as follows:

- Overlooking neighbouring garden.
- Not enough parking in the area.
- Disruption, noise and dirt as a result of proposed construction works.
- Proposal would have a negative impact on ground floor business and its customers.
- Loss of light to garden.
- Proposal would impact on the service provision, patient confidentiality and security for the adjacent medical premises.
- Overdevelopment of the site affecting the character of the neighbourhood.
- Overbearing and out of character in the streetscene

4.2 The following consultation responses have been received:

- Environmental Health – no objection, recommended conditions in relation to noise insulation and a noise assessment.
- Highways - no objection in principle, requested a condition for vehicle cleansing and a construction method statement

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC6 (Affordable Housing), DC11 (Non-designated Sites), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

5.2 Other relevant documents include the Residential Design SPD, the Sustainable Design and Construction SPD, Planning Obligation SPD (Technical Appendices)

5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions),

5.3 (sustainable design and construction), 5.7 (renewable energy), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) of the London Plan, are material considerations.

- 5.4 The National Planning Policy Framework, specifically Sections 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the streetscene, the implications for the residential amenity of the future occupants and of nearby houses and flats and the suitability of the proposed parking and access arrangements.

6.2 Principle of Development

- 6.2.1 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.

- 6.2.2 The proposal is for the redevelopment of first floor offices to residential use and an additional floor for residential use. The site is not designated as Green Belt land, an employment area, or within Romford town centre in the Development Plan.

- 6.2.3 On this basis the proposal is considered to be policy compliant in land use terms and its use for residential purposes is therefore regarded as being acceptable in principle.

6.3 Density/ Layout

- 6.3.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

- 6.3.2 The proposal would provide no8 residential flats at a density equivalent to approximately 84 dwellings per hectare. This is in excess of the aims of Policy DC2 which states that a dwelling density of between 50 to 80 dwellings per hectare would be appropriate in this location. Although the number of units per hectare is in excess of the recommended range consideration should be given to the site constraints and the proposal being for flatted development, which naturally gives rise to higher density development.

- 6.3.3 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conforms to minimum internal space standards.
- 6.3.4 For one-bedroom flats for two people the spacing requirement is set at 50 square metres. For two-bedroom flats the minimum standard is set at 61 square metres for three occupants and 70 square metres for four occupants.
- 6.3.5 The proposal would provide residential units with varying floor space sizes all of which but two meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. Although a 1-bed unit and 2-bed unit at first floor would fall slightly below the minimum guidance Officers consider that an objection would be difficult to substantiate on this ground alone bearing in mind that these units are situated within the part of the building which benefits from permitted development rights to convert the from office accommodation to residential.
- 6.3.6 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.
- 6.3.7 It is acknowledged that the proposed development does not make provision for amenity provision however it should be noted that the existing first floor can be converted from office use to residential units under permitted development without the requirement for amenity space. Also, given the existing site constraints it is not possible to provide balconies or a garden amenity area. Officers do not consider the lack of amenity space to be sufficient to refuse the proposal in this case, however Members may attach different degree of weight to the lack of sufficient amenity provision.

6.4 *Design/Impact on Streetscene*

- 6.4.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.4.2 The main impact in terms of the streetscene along North Street relates to resultant character and appearance of the building which would increase from a 2-storey to a 3-storey building.
- 6.4.3 It is acknowledged that the additional storey would result in a building that is higher in the streetscene compared to the adjacent properties however this would be mitigated by the setback of a minimum of 1m from the first floor front and side building lines and that it only covers part of the second floor plate. The proposal would be of similar height to a 3-storey development approved under P1707.11 which is situated approximately 90m from the subject site on the corner of Eastern Avenue West and Hainault Road. The

proposal is considered to improve the existing dated 1960's brick elevation by providing a more articulated and modern building.

6.4.4 As such it is considered that the proposed development would be sympathetic to the immediate and wider setting, resulting in a positive impact on the character and appearance of the streetscene and surrounding area in accordance with policy DC61 and the Residential Design SPD.

6.5 *Impact on Amenity*

6.5.1 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overlooking or loss of privacy to existing properties.

6.5.2 The main consideration in terms of residential amenity relates to the impact on the occupants of the residential dwellings to the east and south of the application site and the medical centre to the north

6.5.3 The existing elevations have two large office windows to the eastern elevation at first floor. The proposed development would result in an improvement to this elevation as one of these windows would be subdivided into 2 no. obscure glazed windows. Officers therefore do not consider the impact to be worse than that which is currently experienced; it would, in fact, be improved. The additional storey would also introduce windows to this elevation however these windows would serve a landing and bathroom and will be conditioned to be obscure glazed. The additional storey is well set in from the eastern boundary (20m) and would therefore not result in a loss of light to the rear garden of the nearest residential property at No. 1 Parkside Avenue.

6.5.4 The proposal is not considered to result in an impact on neighbouring amenity to the south as there would be a separation distance of 15m between the subject building and this neighbouring property. It should also be noted that there are existing south facing windows at first floor. Officers do not consider the addition of south facing windows on the second floor to result in unacceptable impact given the existing south facing fenestration.

6.5.5. Officers acknowledge that there would be some loss of light to the property to the North, however it is judged that the impact would be acceptable given the non-residential nature of the Health Centre and the existing close proximity of the Health Centre to the subject building. In term of overlooking only two additional windows are introduced to the northern elevation at second floor which is a secondary window to the living room and a window to a bedroom. The proposed secondary window will be conditioned to be obscure glazed and the bedroom window is well set back (3.15m) from the northern first floor building line and would not result in a harmful impact.

6.5.6 It is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

6.6 *Environmental Issues*

6.6.1 Environmental Health has raised no objection to the proposal provided that the development is constructed with suitable sound insulation and a noise assessment is completed in order to determine the impact of road noise emanating from North Street and the A12.

6.7 *Parking and Highway Issues*

6.7.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) for the site is set at 3 meaning that the site is classified as having relatively good access to public transport. Therefore flatted development in this location is required to provide car parking provision of 1.5-1 spaces per unit.

6.7.2 The proposal can demonstrate a total of 8 no. off-street car parking spaces within the site to cater for the proposed 8 no. residential flats. The car parking provision would be arranged to the side of the development. The parking provision would result in a ratio of 1 parking space per unit which is considered acceptable for a flatted development and in accordance with Policy DC2.

6.7.3 Refuse and recycling is provided to the side of the car park. Existing access off Parkside Avenue would be retained.

6.7.4 It is therefore considered that the proposed car parking and access arrangements are acceptable and would not result in highway safety or parking/ servicing issues.

6.8 *Mayoral Community Infrastructure Levy*

6.8.1 The proposed development will create 8 no new residential units with 180 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £3,600.00 subject to indexation based on the calculation of £20.00 per square metre.

6.9 *Infrastructure Impact of Development*

6.9.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (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.
- 6.9.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.9.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.9.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.9.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.9.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.9.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required

as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.

6.9.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £6000 for educational purposes would be appropriate.

7. Conclusion

7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.

7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. The proposal is considered to be acceptable in all material respects.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

There is a risk that the weight accorded to the Development Plan Policy and Supplementary Planning Document on Planning Obligations may be challenged at appeal or through judicial challenge.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 31 March 2015,
revision received on 3 June 2015, 05 August 2015 and 14 September 2015.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

12 November 2015

Subject Heading:

P1340.15 Plots 7 & 8 Beam Reach
Business Park 5, Consul Avenue,
Rainham

Continuation of development of two tall industrial units, the installation of printing presses and associated equipment & buildings including offices, toilets and plant rooms without compliance with condition 10 (required energy efficiency and sustainability standards) attached to planning permission reference: U0006.06 (Received 9 September 2015)

Ward:

South Hornchurch

Report Author and contact details:

Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework
National Planning Policy Practice
Guidance

Financial summary:

Not relevant

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

This is an application made under Section 73 of the Town and Country Planning Act 1990 (as amended) and seeks the removal of one of the conditions imposed following the grant of planning permission. The application in question is application reference: U0006.06 which was for two tall industrial units, the installation of printing presses and associated equipment and buildings including offices, toilets and plant rooms and was granted planning permission, subject to a legal agreement, by the London Thames Gateway Development Corporation in 2007. The decision notice and subsequent legal agreement are broken down into conditions and obligations relating to Plot 7 and Plot 8 with condition 10 (to which this application relates) requiring the development of Plot 7 to achieve a minimum BREEAM rating of Very Good.

This application seeks the removal of this condition and the removal of the associated section of the S106 (Section 3 – Use of Renewable Energy and Reduction in Carbon Emissions) which requires the submission of Annual Renewable Reports in respect of carbon emissions. As background to the application, this application has been submitted by a prospective buyer of Plot 7 and during the due diligence process it became apparent that the building had not been constructed in compliance with condition 10 (i.e. to BREEAM Very Good). An assessment of the build construction has demonstrated that it would not be feasible to achieve this retrospectively without in effect demolishing the building and starting again. The application therefore seeks to regularise the existing situation by removing the condition.

Although the building has not been constructed to the original required standard, and BREEAM Very Good remains consistent with relevant planning policy, it is not considered that it would be expedient to pursue enforcement action. That being said to offset the carbon impact, if the condition is removed, it is recommended that as a replacement for this and the obligations relating to energy efficiency being removed, a requirement for a financial contribution towards the Council's Carbon Reduction Fund be added to the S106. The figure suggested for the Fund is £66,000 which has been calculated based on the building emission rate (kgCO₂/m²), achieving a 10% reduction, over a 25 year period, and the Zero Carbon Hub price of £60 per tonne.

RECOMMENDATIONS

That the Committee notes that the proposal is unacceptable as it stands but would be acceptable subject to a variation to the existing Deed made pursuant to Section 106 of the Town and Country Planning Act 1990 to:

- Remove the existing Section 3 (Use of Renewable Energy and Reduction in Carbon Emissions) of Schedule 1 – Covenants in Respect of Plot 7; and
- Secure a financial contribution of £66,000 towards the London Borough of Havering's Carbon Reduction Fund, prior to any further occupation of Plot 7.

- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

It is therefore recommended that the Head of Regulatory Services be authorised to make the aforementioned variation to the existing Deed and, upon completion of that obligation, re-issue planning permission as per the conditions below. The decision notice for application reference: U0006.06, issued by the London Thames Gateway Development Corporation, together with the appropriate section of the S106 are attached at Appendix 1 and 2, for reference in this regard and, to confirm, details pursuant to conditions 3, 4, 6, 7, 9, 11, 15, 16 and 17 have previously been approved by the London Thames Gateway Development Corporation.

THE CONDITIONS TO WHICH THE PERMISSION IS SUBJECT ARE AS FOLLOWS FOR PLOT 7:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved drawings, documents and specifications of application reference: U0006.06:

Drawing numbers 05-2118-P001; P002; P003; P010 rev b; P011 rev a; P012; P013; P014; P015; P016; P017 rev c; P018 rev c; P020; P021; P022; P040 rev f; P041 rev e; P042 rev d; and P043 rev c

Documents:

- Provisional BREEAM Assessment - White Young Green dated December 2006;
- Environmental Statement - Loach Construction dated September 2006;
- Method Statement for the Installation of Driven Cast In-Situ Piles Leach Construction dated 26th September 2006;
- Extended Phase 1 Habitat Survey - White Young Green dated October 2006;
- Flood Risk Assessment - White Young Green dated 23rd November 2006;
- Ground Contamination Desk Top Study Report - White Young Green dated October 2006;
- Low and Zero Carbon Study - White Young Green dated December 2006;
- Interim Sustainability Statement - White Young Green dated November 2006;
- Transportation Assessment - White Young Green dated 21st December 2006; and
- Planning Overview Statement - Robinson Keller and Gallagher 2006.

As amended by application reference: P1340.15 and the following documents:

- Energy Appraisal – Icení Projects dated September 2015;
- Sustainability Appraisal – Icení Projects dated September 2015; and
- Planning Statement – Icení Projects dated September 2015

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out, 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 and to ensure that the development accords with relevant policies of the development plan.

2. The car parking layout and motorcycle parking facilities shall be permanently maintained as per the details approved under reference: LTGDC-07-141-AOD.

Reason: To ensure that car parking accommodation is made permanently, in the interests of highway safety and to comply with policies CP9, CP10, DC32 and DC33 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 2.8, 6.3, 6.11, 6.12 and 6.13 of the London Plan.

3. The secure, covered cycle storage facilities shall be permanently retained and made available for use as per the details approved under reference: LTGDC-07-142-AOD.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and to comply with policies CP9, CP10 and DC35 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 2.8, 6.12 and 6.13 of the London Plan.

4. No solid matter during construction and no material storage thereafter shall be stored within 10m of the banks of the retained habitat.

Reason: To prevent pollution of the natural habitat and to comply with policies CP15, CP16, DC58, DC59 and DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.19 and 7.21 of the London Plan.

5. Hard and soft landscaping shall be as per details approved under reference: LTGDC-08-118-AOD. Any tree or plant, which within a period of 5 years, from the completion of the development, that dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with another 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 1900 (as amended), to enhance the visual amenity of the development and to comply with policies CP15, CP16, CP17, DC58, DC59, DC60 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.19 and 7.21 of the London Plan.

6. The 2.1m by 2.1m pedestrian visibility splay either side of each access, set back to the boundary of the public footway, shall be retained clear of any obstruction or object higher than 1m.

Reason: In the interests of highway safety and to comply with policies CP10, CP17, DC32, DC36 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 2.8, 6.3, 6.11 and 6.12 of the London Plan.

7. No goods, spoils or materials shall be stored on the site in the open without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with policies CP16, CP17, DC48, DC52, DC58, DC59, DC60 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4, 7.6, 7.9 and 7.21 of the London Plan.

8. Lighting of all external areas of the site, including pedestrian routes within and at the entrances of the site, shall be installed and maintained as per the details approved under reference: LTGDC-08-118-AOD.

Reason: In the interests of visual amenity and to comply with policies CP15, CP16, CP17, DC56, DC58, DC59 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4, 7.6 and 7.19 of the London Plan.

9. Noise levels from any plant or machinery, when expressed as an equivalent continuous sound level LAeq (1 hour), shall not at any time exceed LA90 - 5dB, when measured at the boundary with the nearest noise sensitive property. With regard to this, the Local Planning Authority may at any time request that noise monitoring be undertaken to demonstrate this, with the results of such monitoring being submitted to the Local Planning Authority, for review, within one month of the date of request.

Reason: To protect local amenity and to comply with policies CP17, DC55, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4, 7.15 and 7.19 of the London Plan.

10. No soakways shall be constructed in contaminated ground.

Reason: To prevent pollution of groundwater and to comply with policies CP15, CP16, CP17, DC48, DC49, DC51, DC53, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 5.12, 5.14, 5.21 and 7.19 of the London Plan.

11. The surface and foul drainage system for the development hereby approved shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the local water environment and to comply with policies CP15, CP16, CP17, DC48, DC49, DC51, DC53, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 5.12, 5.14, 5.21 and 7.19 of the London Plan.

12. Refuse storage including noise output, odour control systems and termination points shall be as per the details approved under reference: LTGDC-07-144-AOD.

Reason: To ensure adequate and hygienic refuse disposal and to comply with policies CP15, CP17, DC36, DC40, DC52, DC55 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 7.4, 7.14 and 7.15 of the London Plan.

13. Fencing and gates on the site shall be installed and maintained as per the details approved under reference: LTGDC-07-144-AOD.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to comply with policies CP17, DC36, DC40 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.2 and 7.4 of the London Plan.

THE CONDITIONS TO WHICH THE PERMISSION IS SUBJECT ARE AS FOLLOWS FOR PLOT 8:

14. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved drawings, documents and specifications of application reference: U0006.06:

Drawing numbers 05-2118-P001; P002; P003; P010 rev b; P011 rev a; P012; P013; P014; P015; P016; P017 rev c; P018 rev c; P020; P021; P022; P040 rev f; P041 rev e; P042 rev d; and P043 rev c

Documents:

- Provisional BREEAM Assessment - White Young Green dated December 2006;
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- Low and Zero Carbon Study - White Young Green dated December 2006;
- Interim Sustainability Statement - White Young Green dated November 2006;
- Transportation Assessment - White Young Green dated 21st December 2006; and
- Planning Overview Statement - Robinson Keller and Gallagher 2006.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out, 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 and to ensure that the development accords with relevant policies of the development plan.

15. Prior to commencement of the development hereby permitted, full details of any proposed fencing and gates to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained thereafter in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to assess the impact of the fencing and gates proposed to be erected. Submission of such details will safeguard the appearance of the premises and the character of the immediate area and also seek to ensure compliance with policies CP17, DC36, DC40 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.2 and 7.4 of the London Plan.

16. Prior to commencement of the development hereby permitted, details of the proposed car parking layout and motorcycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved car parking facilities are to be constructed, surfaced and marked out prior to occupation of the development and shall be permanently maintained thereafter.

Reason: Insufficient information has been supplied with the application to assess the car parking layout and motorcycle parking facilities proposed. Submission of such details will seek to ensure that car parking accommodation is made permanently available, in the interests of highway

safety, and compliant with policies CP9, CP10, DC32 and DC33 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 2.8, 6.3, 6.11, 6.12 and 6.13 of the London Plan.

17. Prior to commencement of the development hereby permitted, details of the proposed cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Cycle storage facilities shall be provided in accordance with the approved details, prior to first occupation of the building. Such facilities shall be permanently retained and made available for use thereafter.

Reason: Insufficient information has been supplied with the application to assess the adequacy of the proposed cycle storage facilities. Submission of such details will seek to ensure that a wide range of facilities for non-motor car residents is provided, in the interests of sustainability, and in compliance with policies CP9, CP10 and DC35 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 2.8, 6.12 and 6.13 of the London Plan.

18. Prior to commencement of the development hereby permitted, samples of all external materials to be used on the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed 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 to comply with policies CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4 and 7.6 of the London Plan.

19. No solid matter during construction and no material storage thereafter shall be stored within 10m of the banks of the retained habitat.

Reason: To prevent pollution of the natural habitat and to comply with policies CP15, CP16, DC58, DC59 and DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.19 and 7.21 of the London Plan.

20. Prior to the occupation of the development hereby approved a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding and turfing comprised within the scheme shall be in accordance with the recommendations of the ecological assessment, approved as part of this development, and shall be carried out in the first available planting season following completion of the development. Any tree or plant, which within a period of 5 years, from the completion of the development, that dies, is

removed or becomes seriously damaged or diseased shall be replaced in the next planting season with another 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 1900 (as amended), to enhance the visual amenity of the development and to comply with policies CP15, CP16, CP17, DC58, DC59, DC60 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.19 and 7.21 of the London Plan.

21. The 2.1m by 2.1m pedestrian visibility splay either side of each access, set back to the boundary of the public footway, shall be retained clear of any obstruction or object higher than 1m.

Reason: In the interests of highway safety and to comply with policies CP10, CP17, DC32, DC36 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 2.8, 6.3, 6.11 and 6.12 of the London Plan.

22. No goods, spoils or materials shall be stored on the site in the open without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with policies CP16, CP17, DC48, DC52, DC58, DC59, DC60 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4, 7.6, 7.9 and 7.21 of the London Plan.

23. Prior to the commencement of the development hereby permitted, details that show how the principles and practices of the Secure by Design Award Scheme are to be incorporated within the development shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of any construction works. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: Insufficient information has been submitted with the application to ensure that the principles of Secure by Design are incorporated within the development. Submission of such details is in the interests of creating safer, sustainable communities and to comply with policies CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 7.3, 7.4 and 7.6 of the London Plan.

24. A scheme for the lighting of all external areas of the site, including pedestrian routes within and at the entrances of the site shall be submitted to, and approved in writing by the Local Planning Authority, before the commencement of the development hereby permitted. The development shall be constructed in accordance with the approved details.

Reason: Insufficient information has been submitted with the application to assess the appropriateness of the external lighting proposed as part of the development. Submission of such details is in the interests of visual amenity and to comply with policies CP15, CP16, CP17, DC56, D58, DC59 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4, 7.6 and 7.19 of the London Plan.

25. Prior to first occupation of the development hereby approved, provision shall be made for the storage of refuse awaiting collection according to the details which shall previously have been agreed in writing by the Local Planning Authority. The submitted scheme should show the access and manoeuvres of refuse collection vehicles. 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 approved details.

Reason: Insufficient information has been submitted with the application to ensure sufficient provision for the storage of refuse. Submission of such details is in the interests of visual amenity, public health and sustainable waste management and to comply with policies CP15, CP17, DC36, DC40, DC52, DC55 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 7.4, 7.14 and 7.15 of the London Plan.

26. Prior to first occupation of the development hereby approved, the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves a minimum BREEAM rating of Very Good. The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability and to comply with policies CP15, CP17, DC49, DC50 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.1, 5.2, 5.3 and 7.4 of the London Plan.

27. Development shall not commence on the implementation of Plot 8 hereby permitted until a detailed design and method statement for the design of foundations and of all new ground works of Plot 8 has been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information in this regard has been submitted with the application. Submission of such details is to prevent pollution of groundwater and to comply with policies CP15, CP16, DC58, DC59 and DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.19 and 7.21 of the London Plan.

28. Before the development hereby permitted is brought into use, a scheme for any new plant or machinery associated with the development shall be submitted to and approved in writing by the Local Planning Authority to achieve the following standard. Noise levels, expressed as the equivalent continuous sound level LAeq (1hr), when calculated at the boundary with the nearest sensitive property, shall not exceed LA90 -5dB.

Reason: To protect the local amenity and to comply with policies CP17, DC55, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 7.4, 7.15 and 7.19 of the London Plan.

29. Before the commencement of the development hereby permitted, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works 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 the construction works.

Reason: Insufficient information in respect of measures to prevent mud being deposited onto the public highway has been submitted with the application. Such details are requested, prior to commencement of the development, in the interests of highway safety and the amenity of the surrounding area and to comply with policies CP10, CP15, DC32, DC49 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 6.3, 6.11 and 7.4 of the London Plan.

30. Development shall not commence on the implementation of Plot 8 hereby permitted until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at a points agreed with the Local Planning Authority;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoarding, depicting a readily visible 24-hour contact number for queries or emergencies; and

- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

The development shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety, to protect the amenity of the surrounding area and to comply with policies CP10, CP15, CP16, CP17, DC32, DC33, DC49, DC52, DC55, DC56, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 6.3, 6.11, 6.13, 7.1, 7.14, 7.15 and 7.19 of the London Plan.

31. Development of the land referred to as 'Plot 8' within 'Beam Reach 5' on approve plan number: 05-2118-P001 shall not commence until details of the volume for volume and level for level fluvial flood plain compensation scheme have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding to the site and to third parties and to comply with policies CP15, CP16, CP17, DC48, DC49, DC51, DC53, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 5.12, 5.14, 5.21 and 7.19 of the London Plan.

32. No soakaways shall be constructed in contaminated ground.

Reason: To prevent pollution of groundwater and to comply with policies CP15, CP16, CP17, DC48, DC49, DC51, DC53, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 5.12, 5.14, 5.21 and 7.19 of the London Plan.

33. The surface and foul drainage system for the development hereby approved shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the local water environment and to comply with policies CP15, CP16, CP17, DC48, DC49, DC51, DC53, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 5.12, 5.14, 5.21 and 7.19 of the London Plan.

34. Prior to the commencement of any works pursuant to this permission the developer shall submit for written approval of the Local Planning Authority:

- a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

- b) 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.
- c) 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.

- d) 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 Local Planning Authority; and
- e) 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with policies CP15, CP17, DC48, DC53, DC54 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.12, 5.14, and 5.21 of the London Plan.

35. Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will prevent undue pollution of the water environment. It will also ensure that the development accords with policies CP15, CP16, CP17, DC48, DC51, DC53, DC54, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.12, 5.14, and 5.21 of the London Plan.

36. No construction works or construction related deliveries into the site shall take place other than between the hours of 08:00 and 18:00 on Monday to Friday and 08:00 and 13:00 on Saturdays, unless otherwise 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 to comply with policies CP15, DC49, DC55 and CD61 of the LDF Core Strategy and Development Control Policies Development Plan Document and policies 5.3, 7.4 and 7.15 of the London Plan.

INFORMATIVES

1. Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any works in, over, under or within 8.0m of a main river such as the Havering New Sewer. This is irrespective of any planning permission granted.
2. Before the development becomes operational the process may need to comply fully with the Pollution Control Guidance issued either under the Environmental Protection Act 1990, Part 1 or the Pollution Prevention and Control (England and Wales Regulations).
3. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per

request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

4. 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.
5. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1.0 Site Description

- 1.1 The application site comprises Plots 7 and 8 of the Beam Reach Business Park, extending to some 1.6ha. The site is located immediately to the east of the Marsh Way flyover, north of the A13 and south of the London to Southend railway line.
- 1.2 Access to the site is provided via gated vehicular and pedestrian points off Consul Avenue, with hardstanding to the front and side of the building.
- 1.3 The area forms part of the London Riverside Business Improvement District and a strategic industrial designation within the Council's adopted Proposals Map (part of the LDF). The site is not located within a conservation area and is not listed (or curtilage listed). There are no national ecological designations of note within the immediate vicinity, although the wetlands to the north of the site are designed as a Borough level site of nature conservation. The site is located partially within flood zone 3, partially within flood zone 2.

2.0 Background

- 2.1 In 2007 planning permission, subject to conditions and a Section 106 Agreement, was granted by the London Thames Gateway Development Corporation, who constituted the Local Planning Authority at the time, for the construction of two tall industrial units, the installation of printing presses and associated equipment and buildings including offices, toilets and plant rooms – Uses B1, B2 and ancillary B8 at Plots 7 and 8 Beam Reach Business Park (application ref: U0006.06).

2.2 Since planning permission was granted, Plot 7 has been developed but Plot 8 has not. Plot 7 contains a building which measures approximately 3,500m², with a mezzanine floor and two floors of ancillary office space to the western end of the building. The building is currently vacant but was last used for newspaper printing purposes.

3.0 Description of Proposal

3.1 As alluded to above, planning application reference: U0006 was granted subject to various conditions and a Section 106 Agreement. Both the agreement and S106 are split by Plot, with conditions and obligations/covenants separately covering the development of each Plot.

3.2 One of the conditions imposed pursuant to Plot 7 was that prior to the occupation of the development, the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves a minimum BREEAM rating of Very Good. The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved (condition 10). The Deed (S106) furthermore includes a section (Section 3 – Use of Renewable Energy and Reduction in Carbon Emissions) which requires the development to be undertaken in accordance with the submitted Renewables Strategy and the submission of Annual Renewable Reports in respect of carbon emissions.

3.3 This application seeks the removal of condition 10 and the associated section of the S106 (Section 3 – Use of Renewable Energy and Reduction in Carbon Emissions) relating to Plot 7.

3.4 The building and Plot (Plot 7) is currently up for sale and as part of the due diligence the prospective buyer noted the condition and previous letters from the London Thames Gateway Development Corporation in respect that it was considered that the previous occupation of the building was unlawful as condition 10 had not been complied with.

3.5 In view that the building has been completed, the applicant has suggested that retrospectively fitting the building to achieve BREEAM Very Good would be near on impossible. The construction type also renders the installation of various energy technologies such as Photovoltaic Panels not viable. To regularise the situation, the application therefore seeks the removal of this condition together with the accompanying section of the S106 which is considered onerous, in context of the build type.

4.0 Relevant History

4.1 This site has an extensive planning history. Below is a selection of the most recent, relevant applications relating to the site and the surroundings:

4.2 P1155.00 – Outline application for the development of approximately 101,000m² of industrial and office use (B1, B2 and including warehousing

ancillary to industrial processes) at land adjacent to Marsh Way, Rainham - approved 10/02/2003

- 4.3 U0006.06 – 2 No. tall industrial units for the installation of printing presses and associated equipment & buildings include offices, toilets, plant rooms - Uses B1/B2 at Unit 7 and 8 Beam Reach Business Park, Consul Avenue – approved by the London Thames Gateway Development Corporation 14/06/2007.
- 4.4 U0009.08 – Extension to western side of existing building to accommodate new press automated stacking and loading equipment. Retrospective canopy to existing entrance and amended access off Consul Avenue at Unit 7 Beam Reach Business Park, Consul Avenue – approved by the London Thames Gateway Development Corporation 18/12/2009.

5.0 Consultations/Representations

- 5.1 14 properties were directly notified of this application. The application was also advertised by way of site notice and press advert. No letters of public representation have been received.
- 5.2 London Borough of Barking & Dagenham – No comments received.
- 5.3 London Borough of Havering Building Control – No comments received.
- 5.4 London Borough of Havering Energy and Sustainability – Somewhat surprised that a new build completed in 2012 only managed an EPC rating of E however, accepts that in context of this, complying with the condition would be difficult. In consideration of the circumstances it is suggested that a financial contribution towards the Council's Carbon Reduction Fund to offset the harm of the development be sought. On the basis of the annual CO2 emissions from the building and achieving a 10% reduction in this over a 25 year month a monetary figure of £66,000 is suggested.
- 5.5 London Riverside (BID) Ltd – No comments received.
- 5.6 Greater London Authority – Not referable.
- 5.7 Rainham Conservation & Improvement Society – No comments received.

6.0 Relevant Policies

- 6.1 LDF Core Strategy and Development Control Policies Development Plan Document: CP3 (Employment), CP9 (Reducing The Need To Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC9 (Strategic Industrial Locations), DC13 (Access To Employment Opportunities), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Recycling), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated Land), DC54

(Hazardous Substances), DC55 (Noise), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity In New Developments), DC60 (Trees and Woodland), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations)

6.2 Sustainable Design and Construction Supplementary Planning Document

6.3 London Plan: 1.1 (Delivering The Strategic Vision And Objectives For London), 2.1 (London In Its Global, European and United Kingdom Context), 2.2 (London And The Wider Metropolitan Area), 2.3 (Growth Areas And Co-Ordination Corridors), 2.7 (Outer London: Economy), 2.8 (Outer London: Transport), 2.13 (Opportunity Areas And Intensification Areas), 2.14 (Areas For Regeneration), 2.17 (Strategic Industrial Locations), 4.1 (Developing London's Economy), 4.4 (Managing Industrial Land And Premises), 4.10 (New And Emerging Economic Sectors), 5.1 (Climate Change Mitigation), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design And Construction), 5.12 (Flood Risk Management), 5.14 (Water Quality And Wastewater Infrastructure), 5.21 (Contaminated Land), 6.1 (Strategic Approach), 6.3 (Assessing Effects Of Development On Transport Capacity), 6.10 (Walking), 6.11 (Smoothing Traffic Flow And Tackling Congestion), 6.12 (Road Network Capacity), 6.13 (Parking), 7.2 (An Inclusive Environment), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.6 (Architecture), 7.7 (Location and Design Of Tall And Large Buildings), 7.14 (Improving Air Quality), 7.15 (Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes), 7.19 (Biodiversity And Access To Nature), 7.21 (Trees And Woodlands), 8.2 (Planning Obligations) and 8.3 (Community Infrastructure Levy).

6.4 Draft London Riverside Opportunity Area Planning Framework (2015)

6.5 Government Guidance: National Planning Policy Framework and National Planning Practice Guidance

7.0 Staff Comments

7.1 The principle of this development has already been deemed acceptable through the grant of planning permission: U0006.06. An application made under Section 73 of the Town and Country Planning Act 1990 (as amended) allows for applications to be made for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. On such an application, the local planning authority is however only authorised to consider the question of the conditions subject to which planning permission was originally granted, and:

- a) If it is considered that planning permission should be granted subject to conditions differing from those subject of which the previous permission was granted, or that it should be granted unconditionally, planning permission should be granted; and

- b) If it is considered that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, planning permission shall be refused.

7.2 With regard to the removal of condition 10 (the energy efficiency and sustainability standards required for the development), it is noted that the London Plan at 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; and
3. Be green: use renewable energy.

For non-domestic buildings, between years 2010-2013 (given the building was constructed in 2012) a 25% improvement on 2010 Building Regulations is required. Expanding on this, policy 5.3 of the London Plan states that highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate changes over their lifetime.

7.3 The Council's LDF Core Strategy and Development Control Policies Development Plan Document at policy CP15 details that to reduce their environmental impact and to address the causes and adapt to and mitigate the effects of climate change in their location, construction and use new development should:

- minimise their use of natural resources, including the efficient use of land;
- reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies;
- have a sustainable water supply and drainage infrastructure;
- avoid an adverse impact on water quality;
- ensure that it does not singularly or cumulatively breach air quality targets;
- take the necessary measures to address contaminated land issues;
- avoid a noise sensitive use being exposed to excessive noise; and
- minimise the negative impact of lighting.

Major new development will be required to adopt high standards of sustainable construction and design and to incorporate on-site renewable energy equipment to reduce predicted CO₂ emissions in line with regional and national policy.

7.4 In respect of the above policy DC49 states that planning permission for major new developments will only be granted where they are built to a high standard of sustainable construction. Applicants for major developments will be required to produce documentation from the Building Research Establishment to confirm

that the development will achieve a rating under the BREEAM rating scheme (or equivalent methodology), for non-residential developments of at least 'Very Good'.

- 7.5 The building currently standing at Plot 7 has not been constructed in accordance with the approved details. In this regard the development fails to meet the required energy standards of the permission and that covered by relevant planning policy. In context of the site history, the fact that enforcement action was not taken in the past by the London Thames Gateway Development Corporation, when the development was first occupied, and the strategic importance of the area to which this application relates, it is however considered that enforcement action is not expedient.
- 7.6 Whilst the reduced energy efficiency of the building is something the Council would not wish to encourage, given that the development has been completed and could not be viably altered to achieve the required standard, it is considered that pursuing measures to offset the potential harm may represent a more logical and sustainable position for the Council to take. In this instance, on the basis of advice received from the Council's Energy and Sustainability Officer, a financial contribution towards the Council's Carbon Reduction Fund is recommended.
- 7.7 In considering and proposing this the Council has to be mindful of the fact that future developments could do something similar and therefore have sought to ensure that the contribution requested is not only fair but also acts as a deterrent to other developers.
- 7.8 The suggested contribution (£66,000) has been calculated based on the building emission rate (kgCO₂/m²), achieving a 10% reduction, over a 25 year period, and the Zero Carbon Hub price of £60 per tonne. The Zero Carbon Hub was established in 2008, as a non-profit organisation, to take day-to-day operational responsibility for achieving the government's targets of delivering zero carbon homes in England from 2016 and £60 is a suggested proxy based on the Government's consultation document on Allowable Solutions, published in 2013, which the Council's uses in such cases.
- 7.9 With this contribution being added to the S106, as a replacement for the existing Section 3 Use of Renewable Energy and Reduction in Carbon Emissions, and being secured prior to any further occupation of Plot 7, the Council's Energy and Sustainability Officer is content for the condition to be removed and the S106 duly being amended.

8.0 Conclusion

- 8.1 The original conditions relating to this development, and in-particular Plot 7, have not been complied with but the nature of the conditions and the fact that the development is largely complete means that these are unlikely to be able to be complied with, without demolishing the existing building and starting again.

- 8.2 With regard to this, it is considered that the planning history of the site is important and the fact that previous enforcement action has not been pursued questions the expediency of any action which could be taken now. This is an existing breach of planning control and the application submitted would seek to resolve this. In consideration of this, the benefits an active site use would bring to the area, from an economic perspective, and that the Council's Energy and Sustainability Officer is content that the carbon impact of the building can be offset by financial contribution, in this instance, it is recommended that planning permission be granted.
- 8.3 To confirm, all other details of the development would remain as existing, with the requirements (both by condition and legal agreement) with regard to energy efficiency and sustainability standards for the development at Plot 8 remaining in force.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: Legal resources would be required for the variation of the legal agreement. The amendment proposed to the existing Section 106 is nevertheless required to rectify the existing site situation and mitigate/offset the harm of the development. Officers are satisfied that the contribution required is compliant with the statutory tests set out in the Community Infrastructure Levy Regulations and NPPF in respect to planning obligations.

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Application form, plans and associated documents received 09/09/2015.

APPENDIX 1 – Application Reference: U0006.06 Decision Notice



Case no. LTGDC-06-096-PP

Robinson Kenning & Gallagher
Unit K Lombard Business Park
20-26 Purley Way
Croydon
Surrey
CR0 3JP
United Kingdom

NOTICE OF DECISION ON PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990
LONDON THAMES GATEWAY DEVELOPMENT CORPORATION (PLANNING
FUNCTIONS ORDER) 2005

APPLICATION NO: U0006.06/LBH~~0~~

LOCATION: Beam Reach Business Park 5 Plots 8 & Part 7 Marsh Way
Rainham

PROPOSAL: Erection of two tall industrial units for the installation of
printing presses and associated equipment & buildings
include offices, toilets, plant rooms - Uses B1, B2 and
ancillary B8

APPLICANT: Newsfax International Ltd

London Thames Gateway Development Corporation being the Local Planning Authority for the purposes of the application received on 15/08/2006 for Planning Permission, as described above has resolved to **GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AND A DEED MADE PURSUANT TO SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990.**

THE CONDITIONS TO WHICH THE PERMISSION IS SUBJECT ARE AS FOLLOWS FOR PLOT 7:

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. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved drawings, documents and specifications:

Drawing numbers 05-2118-P001; P002; P003; P010 rev b; P011 rev a; P012; P013; P014; P015; P016; P017 rev c; P018 rev c; P020; P021; P022; P040 rev f; P041 rev e; P042 rev d; and P043 rev c

Documents:

- Provisional BREEAM Assessment - White Young Green December 2006;
- Environmental Statement - Loach Construction dated September 2006;
- Method Statement for the Installation of Driven Cast In-Situ Piles Loach Construction dated 26th September 2006;
- Extended Phase 1 Habitat Survey - White Young Green dated October 2006;
- Flood Risk Assessment - White Young Green dated 23rd November 2006;
- Ground Contamination Desk Top Study Report - White Young Green dated October 2006;
- Low and Zero Carbon Study - White Young Green dated December 2006;
- Interim Sustainability Statement - White Young Green dated November 2006;
- Transportation Assessment - White Young Green dated 21st December 2006; and
- Planning Overview Statement - Robinson Keller and Gallagher 2006.

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 Unitary Development Plan policy ENV1.

3. Prior to occupation of the development hereby permitted, details of the proposed car parking layout and motorcycle parking facilities shall be submitted to and approved by the Local Planning Authority. The approved car parking facilities are to be constructed, surfaced and marked out prior to occupation of the development and shall be permanently maintained thereafter.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interests of highway safety.

4. Prior to occupation of the development hereby permitted, details of proposed secure, covered, cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Cycle storage facilities shall be provided in accordance with the approved details, prior to the first occupation of the building. Such facilities shall be permanently retained and made available for use thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents and in the interests of sustainability.

5. No solid matter during construction and no material storage thereafter shall be stored within 10m of the banks of the retained habitat.

Reason: To prevent pollution of the natural wetland habitat.

6. Prior to the occupation of the development hereby approved, a scheme of

hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development, shall be submitted to, and approved by the Local Planning Authority, in order that the development accords with the Unitary Development Plan policy ENV1. All planting, seeding or turfing comprised within the scheme shall be in accordance with the recommendations of the ecological assessment approved as part of this development and 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 the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other 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.

7. The 2.1 by 2.1 metre pedestrian visibility splay on either side of each access, set back to the boundary of the public footway, shall be retained clear of any obstruction or object higher than 1.0 metre.

Reason: In the interests of Highway Safety.

8. No goods, spoils or materials shall be stored on the site in the open without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of visual amenity, and that the development accords with Unitary Development Plan policy ENV1.

9. The development hereby permitted shall include a scheme for the lighting of all external areas of the site, including pedestrian routes within and at the entrances of the site. This scheme shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and shall be installed in full, as agreed for that phase by the time the phase is completed.

Reason: In the interests of visual amenity, and in order that the development accords with Unitary Development Plan ENV1.

10. Prior to the occupation of the development hereby approved, the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves a minimum BREEAM rating of Very Good. The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with the Councils Interim Planning Guidance on Sustainability and Policy 4A.7 of the London Plan

11. Before the development hereby permitted is brought into use, a scheme for any new plant or machinery associated with the development shall be submitted to the Local Planning Authority for their written approval, to achieve

the following standard. Noise levels (expressed as the equivalent continuous sound level, (LAeq (1hr)) when calculated at the boundary with the nearest noise sensitive premises shall not exceed $L_{A90} -5dB$.

Reason: To protect the local amenity.

12. The approved wheel washing facilities shall be permanently retained and used at relevant entrances to the site throughout the course of the 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 Unitary Development Plan policy ENV1.

13. No soakaways shall be constructed in contaminated ground.

Reason: To prevent pollution of groundwater.

14. The surface and foul drainage system for the development hereby approved shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the local water environment.

15. Within 18 (eighteen) months of the date of this decision notice, a minimum of a six month groundwater monitoring programme shall be submitted to and agreed in writing by the Local Planning Authority. If the groundwater monitoring programme identifies contamination, then this shall be fully assessed and an appropriate remediation scheme shall be submitted to the Local Planning Authority for written approval.

Reason: To prevent the pollution of the local water environment. The result of the groundwater monitoring will determine whether remediation is required.

16. Prior to occupation of the development hereby permitted, details relating to the means of refuse storage shall be submitted to and approved by the Local Planning Authority. Details should include noise output, odour control systems and termination points. The approved scheme is to be implemented prior to occupation of the development and shall be permanently maintained thereafter.

Reason: To ensure adequate and hygienic refuse disposal with regard to policy ENV1 of the adopted Havering Unitary Development Plan.

17. Prior to occupation of the development hereby permitted, full details of any proposed fencing and gates to be erected on the site shall be submitted to, and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained thereafter in accordance with the approved details.

Reason: To safeguard the appearance of the premises and the character of the immediate area and in order that the development accords with the Unitary Development Plan policy ENV1.

THE CONDITIONS TO WHICH THE PERMISSION IS SUBJECT ARE AS FOLLOWS FOR PLOT 8:

18. 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).

19. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved drawings, documents and specifications:

Drawing numbers 05-2118-P001; P002; P003; P010 rev b; P011 rev a; P012; P013; P014; P015; P016; P017 rev c; P018 rev c; P020; P021; P022; P040 rev f; P041 rev e; P042 rev d; and P043 rev c

Documents:

- Provisional BREEAM Assessment - White Young Green dated December 2006;
- Environmental Statement - Loach Construction dated September 2006;
- Method Statement for the Installation of Driven Cast In-Situ Piles Loach Construction dated 26th September 2006;
- Extended Phase 1 Habitat Survey - White Young Green dated October 2006;
- Flood Risk Assessment - White Young Green dated 23rd November 2006;
- Ground Contamination Desk Top Study Report - White Young Green dated October 2006;
- Low and Zero Carbon Study - White Young Green dated December 2006;
- Interim Sustainability Statement - White Young Green dated November 2006;
- Transportation Assessment - White Young Green dated 21st December 2006; and
- Planning Overview Statement - Robinson Keller and Gallagher 2006.

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 Unitary Development Plan policy ENV1.

20. Prior to commencement of the development hereby permitted, full details of any proposed fencing and gates to be erected on the site shall be submitted to, and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained thereafter in accordance with the approved details.

Reason: To safeguard the appearance of the premises and the character of the immediate area and in order that the development accords with the Unitary Development Plan policy ENV1.

21. Prior to commencement of the development hereby permitted, details of the proposed car parking layout and motorcycle parking facilities shall be

submitted to and approved by the Local Planning Authority. The approved car parking facilities are to be constructed, surfaced and marked out prior to occupation of the development and shall be permanently maintained thereafter.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interests of highway safety.

22. Prior to commencement of the development hereby permitted, details of proposed cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Cycle storage facilities shall be provided in accordance with the approved details, prior to the first occupation of the building. Such facilities shall be permanently retained and made available for use thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents and in the interests of sustainability.

23. Prior to the commencement of the development hereby permitted, samples of all external materials to be used on the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with approved materials.

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 Unitary Development Plan policy ENV1.

24. No solid matter during construction and no material storage thereafter shall be stored within 10m of the banks of the retained habitat.

To prevent pollution of the natural wetland habitat.

25. Prior to the occupation of the development hereby approved a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development, shall be submitted to and approved by the Local Planning Authority, in order that the development accords with the Unitary Development Plan policy ENV1. All planting, seeding or turfing comprised within the scheme shall be in accordance with the recommendations of the ecological assessment approved as part of this development and 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 the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other 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.

26. The 2.1 by 2.1 metre pedestrian visibility splay on either side of each access, set back of the boundary of the public footway, shall be retained clear of any obstruction or object higher than 1.0 metre.

Reason: In the interests of Highway Safety.

27. No goods, spoils or materials shall be stored on the site in the open without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of visual amenity, and that the development accords with Unitary Development Plan policy ENV1.

28. Prior to the commencement of the development hereby permitted, details that show how the principles and practices of the Secured by Design Award Scheme are to be incorporated within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities and residential amenity.

29. A scheme for the lighting of all external areas of the site, including pedestrian routes within and at the entrances of the site shall be submitted to, and approved in writing by the Local Planning Authority before the commencement of development shall be installed in full prior to the occupation of that development.

Reason: In the interests of visual amenity, and in order that the development accords with Unitary Development Plan policy ENV1.

30. Prior to the first occupation of the development hereby permitted, 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. The submitted scheme should show the access and manoeuvres of refuse collection vehicles. 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 visual amenity and public health, and to ensure the development accords with Unitary Development Plan policy ENV1 and Interim Planning Guidance and in the interests of sustainable waste management.

31. Prior to the occupation of the development here by approved the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves a minimum BREEAM rating of Very Good. The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Interim Planning Guidance on Sustainability and Policies 4A.7 of the London Plan.

32. Development shall not commence on the implementation of Plot 8 hereby permitted until a detailed design and method statement for the design of foundations and of all new ground works of Plot 8 has been submitted to and

approved in writing by the Local Planning Authority.

Reason: To prevent pollution of groundwater and that the development accords with Unitary Development Plan policy ENV1 and ENV14.

33. Before the development hereby permitted is brought into use a scheme for any new plant or machinery associated with the development shall be submitted to the Local Planning Authority for their written approval, to achieve the following standard. Noise levels (expressed as the equivalent continuous sound level, (LAeq (1hr)) when calculated at the boundary with the nearest noise sensitive premises shall not exceed $L_{A90} - 5\text{dB}$.

Reason: To protect the local amenity.

34. Before the commencement of the development hereby permitted, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works 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 the 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 Unitary Development Plan policy ENV1.

35. Before development of each phase is commenced, a scheme of each phase of development shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust management controls;
 - d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
 - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
 - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
 - g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement, in order that the development accords with Unitary Development Plan policy ENV1.

Reason: To protect the amenity of the surrounding area.

36. Development of the land referred to as 'Plot 8' within 'Beam Reach 5' on approved plan number 05-2118-P001 shall not commence until details of the volume for volume and level for level fluvial flood plain compensation scheme have been submitted to and approved by the Local Planning Authority.

Reason: To prevent the increased risk of flooding to the site and to third parties.

37. No soakaways shall be constructed in contaminated ground.

Reason: To prevent pollution of groundwater.

38. The surface and foul drainage system for the development hereby approved shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the local water environment.

39. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a. A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

- b. 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 sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

- c. 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 of two parts:

Part A – Remediation Statement 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.

- d. 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 Local Planning Authority; and

- e. 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.

40. Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Planning Authority prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.

Reason: To prevent pollution of the water environment.

41. No construction works or construction related deliveries into the site for any phase shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 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 Unitary Development Plan Policy ENV1.

INFORMATIVES

1. Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any works in, over, under or within 8.0m of a main river such as the Havering New Sewer. This is irrespective of any planning permission granted.
2. Before the development becomes operational the process may need to comply fully with the Pollution Control Guidance issued either under the Environmental Protection Act 1990 Part 1 or the Pollution Prevention and Control (England and Wales Regulations).

JUSTIFICATION FOR GRANTING CONSENT/REASONS FOR APPROVAL

- The proposed development accords with LB Havering's UDP policy EMP1 and the emerging LDF in so far as the development, within this location would represent a development promoting beam Reach 5 as an advanced manufacturing led business park, and other relevant planning policies;
- Redevelopment of this land for the proposed use would provide for further

- economic and employment growth for the area;
- The site is well located within the road network for this type of use, and also presents opportunities for improvements to public transport within the area;
- The applicant has demonstrated that any potential impacts arising from the development are not significant, and that the development will have a positive effect on the area;
- The proposed development should provide a catalyst for further development of this site for advanced manufacturing uses; and
- The proposal does not present any significant negative impact upon the environment.

The London Thames Gateway Development Corporations decision to approve the details in this instance arose following careful consideration of the relevant provisions of the London Borough of Havering's adopted Unitary Development Plan and emerging Local Development Framework, The London Plan, and of all other relevant material considerations.

Of particular relevance to this decision were the following policies:

London Borough of Havering Unitary Development Plan (March 1993):

EMP1 Rainham Employment Area
 ENV1 Environmental Criteria for New Developments
 ENV7 Nature Conservation
 ENV8 Contaminated Land
 TRN 2 Effect of development on public transport and roads
 TRN15 Cycle Facilities

London Borough of Havering's Local Development Framework (November 2006):

The Local Development Framework (LDF) has been approved for consultation and is a material consideration. The LDF identifies Beam Reach Business Park as a main employment area, and as an important location for advanced manufacturing uses.

LDF Core Policies:

CP3 Employment
 CP9 Reducing the need to travel
 CP10 Sustainable Transport
 CP15 Environmental Management

LDF Development Control Policies:

DC9 Main employment areas
 DC13 Access to employment opportunities
 DC33 Car parking
 DC35 Cycling
 DC49 Flood Risk
 DC50 Sustainable Design and Construction
 DC51 Renewable Energy
 DC52 Water supply, drainage and quality
 DC53 Air quality
 DC54 Contaminated Land
 DC55 Noise
 DC56 Light
 DC59 Biodiversity in new developments
 DC60 Trees
 DC61 Urban Design
 DC62 Access

DC63 Crime
DC72 Planning Obligations

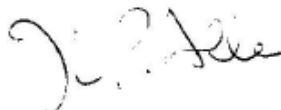
Supplementary Planning Document:
Sustainable Construction (Havering)

London Plan (February 2004):
2A.1 Sustainability criteria
2A.2 Opportunity Areas
2A.3 Areas for intensification
2A.7 Strategic Employment Locations
3B.5 Strategic Employment Locations
4A.6 Improving Air Quality
4A.7 Energy Efficiency and Renewable Energy
4B.1 Design Principles for a Compact City
5C.1 Strategic Priorities for East London

The London Plan Sub-Regional Development Framework for East London (May 2006)

Planning Policy Guidance:
PPS1 – Delivering Sustainable Development
PPS4 – Industrial development
PPG13 – Transport
PPS23 – Planning and Pollution Control
PPS25 – Development and Flood Risk
RPG9a – The Thames Gateway Planning Framework

Signed



Director of Planning

Date of Decision: 14th June 2007

Date Issued:

APPENDIX 2 – Section 3 of Existing Deed (Section 106 Agreement)

- 2.5 The Plot 7 Development pursuant to the Planning Permission shall not be Occupied other than in accordance with the approved Green Travel Plan or any approved revisions thereof.

3. USE OF RENEWABLE ENERGY AND REDUCTION IN CARBON EMISSIONS

- 3.1 The Plot 7 Development pursuant to the Planning Permission shall not be Occupied unless and until:
- 3.1.1 The Renewables Strategy in respect of the Plot 7 Development has been submitted to the Local Planning Authority for its approval; and
- 3.1.2 The Local Planning Authority has given its approval in writing to the Renewables Strategy in respect of the Plot 7 Development thereto.
- 3.2 The Plot 7 Development pursuant to the Planning Permission shall not be Occupied unless and until the short-term measures for the use of the renewable energy and for the reduction in the level of carbon emissions as set out in the approved Renewables Strategy have been implemented in respect of the Plot 7 Development to the reasonable satisfaction of the Local Planning Authority.
- 3.3 Carbon emissions from the Plot 7 Development shall at no time exceed the level being 10 per cent below the Baseline Carbon Level in respect of the Plot 7 Development as set out in the Renewables Strategy in respect of the Plot 7 Development for the relevant annual period PROVIDED THAT for the avoidance of doubt, the reduction of the level of carbon emissions to 10 percent below the Baseline Carbon Level may be achieved in the short-term by the use of bio-diesel to operate oil fired generators that may be used to generate the necessary electricity for the operation of the Plot 7 Development.
- 3.4 Unless the Local Planning Authority shall otherwise agree in writing:
- 3.4.1 Between 1 March and 28 April of each year following the first Occupation of the Plot 7 Development, the Annual Renewables Report shall be submitted to the Local Planning Authority for its approval in respect of the Plot 7 Development;

- 3.4.2 The new measures and initiatives contained within the approved Annual Renewables Report thereto shall be implemented upon receiving approval thereto from the Local Planning Authority;
- 3.4.3 The obligation contained in paragraph 3.5 of this Schedule 1 shall apply in relation to the new measures and initiatives contained in the approved Annual Renewables Report in respect of the Plot 7 Development.
- 3.5 The Plot 7 Development pursuant to the Planning Permission shall not be Occupied except:
- 3.5.1 in accordance with the approved Renewables Strategy in respect of the Plot 7 Development and any approved revisions thereof; and
- 3.5.2 in accordance with paragraph 3.3 of this Schedule.
- 3.6 Where, within any annual period following the approval of the Renewables Strategy or an Annual Renewables Report (as the case may be) in respect of the Plot 7 Development, there has been a material change in the type and/or quantity of the equipment employed in respect of the operational processes taking place within the Plot 7 Development, or in the output arising from the operation of the operational processes taking place within the Plot 7 Development, the Local Planning Authority shall not seek to prevent Occupation of the Plot 7 Development pursuant to the Planning Permission in respect of a breach of the obligation at paragraph 3.5 within that same annual period subject to the following:
- 3.6.1 the said material change in the type and/or quantity of equipment employed in respect of the operational processes taking place within the Plot 7 Development or the material change in the output therefrom must be capable of affecting the calculation of the Baseline Carbon Level; and
- 3.6.2 upon request, the Developer and Magus shall immediately furnish the Local Planning Authority with evidence of the said material change in the type or quantity of the equipment employed in respect of the operational processes taking place within the Plot 7 Development or material change in the output therefrom to the reasonable satisfaction of the Local Planning Authority; and
- 3.6.3 between 1 March and 28 April of the year following the Developer and Magus shall recalculate the Baseline Carbon Level to take into account the

material change in the type or quantity of the equipment employed in respect of the operational processes taking place within the Plot 7 Development or the material change in the output therefrom in accordance with its obligations in respect of the submission of the Annual Renewables Report.

REGULATORY SERVICES COMMITTEE

12 November 2015

REPORT

Subject Heading:

P1669.14

68 Station Road , Upminster

Redevelopment of the site to create rear three-storey extension to accommodate 8 self-contained flats.

Ward: Upminster

(Application received 18th December 2014 & Revised Plans received 18th September 2015)

Report Author and contact details:

Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800

Policy Context:

Local Development Framework
The London Plan
National Planning Policy Framework
National Planning Policy Practice
Guidance

Financial summary:

Not relevant

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for [x]
People will be safe, in their homes and in the community [x]
Residents will be proud to live in Havering [x]

SUMMARY

This application is for the conversion and extension of existing premises in Upminster Town Centre to create six additional one-bed flats, whilst reconfiguring the layout of two existing two-bed flats. The extension would be to the rear of the building with no material changes to the front elevations. The existing ground floor retail unit would be retained, but with less floorspace. The main issues are the relationship with adjoining buildings, including impact on amenity, impact on the character of the area and whether the proposals would deliver an acceptable standard of accommodation for future occupiers. On balance Staff consider that the proposal would be acceptable and it is recommend that planning permission is granted, subject to the prior completion of a S106 planning obligation to secure a contribution of £36,000 towards education needs.

RECOMMENDATIONS

1. That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £4,760 (subject to indexation). This is based on the creation of 238 square metres of new gross internal floorspace.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
 - A financial contribution of £36,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
 - All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- That Head of Regulatory Services be authorised to enter into a legal agreement 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 (as set out on page one of this decision notice).

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.

3. *Materials* - The development hereby permitted shall not be commenced until samples of all materials to be used in the external construction of the buildings and hard landscaped areas have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement 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.

4. *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 submitted to and agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers

of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. *Cycle storage* - Prior to completion of the development 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: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability in accordance with Policy DC36 of the LDF Development Control Policies Development Plan Document.

6. *Landscaping* - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

7. *Boundary treatment* - The development hereby permitted shall not be commenced until details of proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be installed prior to occupation of that phase of the development and retained thereafter in accordance with the approved plans.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. *Secured by Design* - The development hereby permitted shall not be commenced until details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included have been 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: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

9. *External lighting* - The development hereby permitted shall not be commenced until a scheme for the lighting of external areas of the development, including any access roads, 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 that phase of the development and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

10. *Hours of construction* - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

11. *Vehicle Cleansing* - No works shall take place in relation to any of the development hereby approved until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously submitted to and

approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works.

The submitted scheme will provide the following details:

- a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.
- c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.
- g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61

12. *Construction methodology* - The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on that phase on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls

- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
 - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
 - f) a scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
 - g) a scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

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

13. *Accessibility* - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

14. *Noise insulation* - The noise level in rooms of the development hereby permitted shall meet the noise standard specified in BS8233:2014 for internal rooms. Details shall be submitted to the Local Planning Authority prior to first occupation of the development to demonstrate that this has been achieved.

Reason: In order to comply with Policies CP15, DC55 and DC 61 of the Local Development Framework Development Control policies Development Plan Document.

15. *Ground Contamination* – The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

16. *Renewable energy* - A renewable energy system for the development shall be installed in accordance with details previously submitted to and agreed in writing by the Local Planning Authority and shall be made operational prior to the residential occupation of the development. Thereafter, it shall be permanently retained.

Reason: Insufficient information has been supplied with the application in relation to renewable energy to meet the requirements of Policy 5.2 of the London Plan. The submission of details prior to commencement is necessary to ensure that the proposals would meet the terms of this policy and in the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

Informatives

1. *DMO Statement* - Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015. In accordance with paragraph 186-187 of the National Planning Policy Framework

2012, improvements required to make the proposal acceptable were negotiated with Ching Liu and Sundeep Bhavra by e-mail and telephone between 11th May 2015 and 11th September 2015. The revisions involved design and layout changes, including a reduction in the number of units, increase in amount of amenity space and fenestration changes. The amendments were subsequently submitted on 18th September 2015.

2. *Mayoral CIL* - The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £4760 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. *Planning obligation* - The planning obligation required has 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.

4. *Temporary use of the highway* - If any construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.

5. *Secured by Design* - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site lies within the retail core of Upminster Town Centre. It comprises a three storey building close to the northern end of a parade of

mainly retail units with residential and offices above. The building lies adjacent to the Essex Yeoman public house, close to Upminster Station. The building has a retail unit on the ground floor with two flats above on two floors. There is also a basement and rear lean-to used by the retail occupiers. There is an existing fire exit onto Station Road for the occupiers of the flats.

- 1.2 To the rear of the building is an area of open land mainly laid to grass that provides an amenity area for the flats. There is a mature conifer close to the rear of the building. The entrance to the existing flats is via a staircase at the rear of the building which is accessed from a service track from Howard Road. There is a single storey garage/store on the rear boundary.
- 1.3 On the northern boundary of the amenity area is the side wall of the Essex Yeoman, parts of which are three storeys but which also includes a first floor roof terrace towards the rear of the building. On the southern boundary is a two storey extension of the frontage building with a two storey building beyond in use as a bakery. There is a single storey section that links these two parts. The bakery has low level ground floor windows that look directly into the site. Beyond the boundary to the south is a commercial building currently occupied by a window cleaning contractor.
- 1.4 On the opposite (western) side of Station Road on the corner with Branfill Road are two mixed use developments (Marks and Spencer and Alder Court) which are both four storey with retail on the ground floor with flats above. Most of the remainder of the retail frontage in Station Road near to the site is two or three storey.
- 1.5 Upminster Station lies about 50 metres to the north of the site. There is no car parking associated with the existing retail and residential uses of the site other than the garage building to the rear.

2. **Description of proposal**

- 2.1 This is a full application for the conversion and extension of the existing building to provide eight flats over three floors. The retail unit would be reduced in size with the rear section being incorporated into one of the ground floor flats. The basement would remain unaltered, but there would be a new stairway down from the re-configured shop.
- 2.2 The fire exit onto Station Road would form the new pedestrian access to the flats and bin storage would be provided within the building close to this entrance. The extended building would accommodate six one-bed flats, two on each floor with the existing flats facing onto Station Road remaining as two-bed, but with reduced floorspace. The building would be extended over all three floors following the removal of the conifer tree. It would extend by 6 metres along the southern boundary and 15 metres along the northern. The remainder of the site, including the area of the outbuilding, which is to be demolished, would be landscaped as amenity space for the development. A cycle store would be provided to the rear close to a pedestrian access gate that provides a

link to Howard Road via the rear service road. Given the town centre location close to Upminster Station no car parking is proposed.

- 2.3 The new first and second floor flats would have balconies and one of the ground floor flats would have a terrace, all of which would overlook the rear amenity area. The remaining three flats, including those facing onto Station Road would have access to the communal amenity space via a rear access door.
- 2.4 The extension would be constructed in brick under a flat asphalt roof, similar to the existing building.

3. **Relevant History**

- 3.1 P1231.01 - Conversion of single dwelling into two self-contained flats, approved.

4. **Consultations/Representations**

- 4.1 60 neighbour notification letters have been sent to local addresses. One letter of representation has been received on behalf of the occupiers of no. 66 Station Road which is let to a retail bakers and includes a the shop frontage and building to the rear. Objections are raised as follows:

- Over-development of a limited site, a smaller development would be more reasonable;
- No car parking provision which would lead to parking on adjoining roads;
- Vehicular access to the rear of the property limited as access road is used for shop deliveries and would make it unsafe;
- Overlooking from low-level windows in the side wall of the bakery. Development could affect the amount of light to these windows;
- No front access and rear access route is unsuitable;
- Incorrect or misleading statements in the application.

- 4.2 Thames Water - no comments.

- 4.3 London Fire Brigade (Water Team) - satisfied with the proposals.

- 4.4 Essex and Suffolk Water - no objections, new metered water connections should be provided.

- 4.5 London Fire and Emergency Planning Authority - development should comply with relevant Building Regulation for fire access.

- 4.6 Streetcare (Highway Authority) has no objections.

- 4.7 Streetcare (Refuse) originally objected but siting of refuse bins amended to meet collection requirements.

4.8 Public Protection requests conditions covering construction/demolition method statement, sound insulation and assessing ground contamination

5. **Relevant Policies**

5.1 Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD):- Policies CP1 (Housing Supply); CP4 (Town Centres); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 (Environmental management); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC7 (Lifetime Homes and Mobility Housing); DC29 (Education Premises); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC53 (Contaminated Land); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places) and DC72 (Planning obligations).

5.2 In addition, the Evidence base to the Planning Obligations SPD, Residential Design SPD, Designing Safer Places SPD, and Sustainable Design and Construction SPD are also material considerations.

5.3 London Plan: - Policies 2.15 (Town Centres) 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 4.7 (Retail and Town Centre Development and 8.2 (planning obligations) and the Housing Supplementary Planning Guidance.

5.4 The National Planning Policy Framework and the National Planning Practice Guidance are also relevant.

6. **Staff Comments**

Principle of the development

6.1 The application site lies within an existing town centre within the defined retail core where the redevelopment of a site for residential purposes that includes the retention of the retail frontage would be acceptable in principle in accordance with Policy CP1 of the LDF Core Strategy and Development Control Policies DPD and the guidance in the National Planning Policy Framework (NPPF).

6.2 The site is in a sustainable location with very good access to public transport given the proximity of Upminster station and local bus services that pass along Station Road. The site is very close to local amenities, including shops, schools, library and public parks. Therefore, subject to the development providing an acceptable standard of accommodation for future occupiers; having an acceptable impact on adjoining occupiers and on the character and appearance of the area, the development can be considered appropriate.

Density/Site Layout

- 6.3 The density of the residential element would be 165 units per hectare or 370 habitable rooms per hectare. The London Plan Housing SPG and LDF Policy DC2 set out guidance densities for new residential development. The densities proposed would be in accordance with the policy and guidance. Therefore, for a town centre development the density proposed is considered acceptable. The SPG also sets minimum floorspace standards for all housing types, although these have been updated recently through the issue of national space standards. The proposed units would meet these standards. However, whilst meeting these layout parameters indicates that the development would be broadly acceptable, account also needs to be taken of the character of the local area and whether the scale of the development is appropriate in terms of its appearance in the local context. Account also needs to be taken of any adverse impact on the amenity of nearby occupiers.
- 6.4 In terms of amenity space provision five of the flats would have their own balcony or terrace with the remaining three having access to the communal amenity space proposed to the rear of the extended building. Three of the balconies/terrace areas would be below the recommend size of 5 square metres in the London Plan SPG and the Residential Design SPD, however, occupiers of these flats would also have access to the rear amenity space. Parts of this space would be subject to some limited overlooking from occupiers of adjoining buildings. However, this would be limited and is judged not to materially affect the level of privacy that would be enjoyed by future occupiers of the flats. Overall the level of amenity space is considered to be appropriate in scale and layout for a town centre development.

Design/Impact on the streetscene

- 6.5 The application site is located in part of the retail area within Upminster Town Centre and the building frontage currently makes a positive contribution to the character and appearance of the area, having similar characteristics to the rest of the terrace. The proposed development involves mainly an extension onto the land to the rear of the building and internal alterations. Consequently the development would not materially affect the appearance of the building when viewed from Station Road.
- 6.6 The proposed extension would be visible from Station Approach to the north which serves as an access road to car parking areas connected with the station. However, only a small part of the extension would be visible and this would be seen against the back drop of other buildings of similar scale. Views of the building from Howard Road would be seen in a similar way. Overall Staff consider that the impact of the extension on the streetscene and character of the area would not be significant.
- 6.7 The buildings in Station Road have a mix of architectural styles, including more recent developments such as those on the west side of the road opposite the application site. The higher buildings also extend behind the main frontage into mainly residential streets, such as Howard Road and Branfill Road. The

National Planning Practice Guidance states that good quality design is an integral part of sustainable development. The guidance in the NPPF is that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. LDF Policy DC61 requires that new buildings and extensions to existing ones complement or improve the character of the area and respect the scale, massing and height of the surrounding physical context. The proposed extension is judged to be of good design within the context of the site and would have no material adverse impacts on the character and appearance of the area. The proposal would, therefore, be in accordance with DC61 and the guidance in the NPPF.

Impact on amenity

- 6.8 There are residential properties in the upper floors of the terrace fronting Station Road, including rear extensions, although some parts are in commercial use as offices. There are also two rear gardens of dwellings in Howard Road to the south east of the site that are relatively close (within 20 metres) to the rear amenity area and from which parts of the extension would be visible. However, given the scale of the proposed extension and its relationship with the buildings on either side there would not be an adverse impact on occupiers of these properties. Adjoining walls would need to be insulated against noise transmission which would normally be addressed through the Building Regulations; however, in this case additional conditions are recommended given adjoining residential units. Overall there would not be a significant impact on adjoining residential amenity from the development.
- 6.9 Objections have been raised by the owner of the property to the south which is in use as a bakery on the ground that the development would lead to a loss of light to the premises. The building has low level windows on the north side that face onto the rear amenity area. These windows receive little, if any, direct sunlight and being at low level already received reduce natural light. They are also in the shadow of the bakery building itself. However, in response to this objection and officer concerns about the scale of the extension originally submitted the depth of the extension has been significantly reduced. The footprint of the extension would cut back along the adjoining boundary so as to limit any loss of light. The impact on the adjoining commercial premises is, therefore, judged to be acceptable.

Parking and Highway Issues

- 6.10 The London Plan Housing SPG and the density matrix in LDF Policy DC2 indicate that less than one space per unit would be acceptable given the high public transport accessibility level (PTAL) of 5. No objections are raised by Streetcare (Highway Authority). Given the accessibility of the site to local services and public transport staff consider that the site is in a sustainable location and a car free development would be acceptable. Secure cycle storage would be provided to the rear of the development close to a pedestrian access gate that provides a link to Howard Road via the rear service road. This would help to encourage cycle usage as an alternative to the car.

- 6.11 Refuse collection and recycling bins would be positioned close to the main entrance to the new flats in a location agreed with Streetcare that would enable collection from within the building as it would be close to the public highway.
- 6.12 The owner of the adjoining commercial property has raised concerns about the suitability of the access track from Howard Road for deliveries. The access would allow some deliveries to be made, but the main deliveries to the site are likely to be via the main entrance in Station Road. The track from Howard Road is not part of the public highway and its use is considered to be a private matter between the parties with a right of access along it. The access point onto Howard Road is to be improved as part of development at no. 60 Station Road. Once the extension is constructed deliveries would be relatively infrequent and access is unlikely to be a significant issue.

Infrastructure impact of the development

- 6.13 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 6.14 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.15 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.16 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.17 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable

mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.

- 6.18 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.
- 6.19 It would, therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6,000 per dwelling (net increase) for educational purposes would be appropriate.
- 6.20 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. There would be a net addition of 6 units and a charge of £36,000 is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.

7. **Mayor's Community Infrastructure Levy (CIL)**

- 7.1 All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. The existing floorspace has been lawfully used within this period. The new build would amount to 238 square metres and the CIL rate is £20 per square metre giving a CIL liability of £4,760.

8. **Conclusions**

- 8.1 The site lies with the retail core area of Upminster Town Centre where the proposed extension and conversion of the existing building to provide for a mixed use with retail on the ground floor is considered acceptable in principle. The main issues relate to the design and scale of the new building works and their impact on the character and appearance of the area, the impact on adjoining occupiers and the standard of accommodation to be provided.
- 8.2 Staff consider that, as a matter of judgement the proposed development would not be materially harmful to the character and appearance of the area. It would

provide an acceptable standard of accommodation for future occupants and would not have any material impact on occupiers of nearby and adjoining buildings. The grant of planning permission is recommended accordingly subject to the prior completion of a S106 legal agreement to secure a financial contribution towards education costs associated with the development and appropriate conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

Legal resources will be required to prepare and complete the S 106 legal agreement. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied that the contribution required is compliant with the statutory tests set out in the CIL Regulations relations to planning obligations

Human Resources implications and risks:

None

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Application form and revised plans received 18 September 2015.

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REGULATORY SERVICES COMMITTEE

12 November 2015

REPORT

Subject Heading:

P1366.15

Portman House
16-20 Victoria Road, Romford

Single Storey extension at second floor level to the rear part of the building and single storey extension at fourth level to the front part of the building to provide 5No residential units (4No 1 bed units and 1No 2 bed unit)

Ward: Romford Town

(Application received 21st September 2015)

Report Author and contact details:

Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800

Policy Context:

Local Development Framework
The London Plan
National Planning Policy Framework
National Planning Policy Practice
Guidance

Financial summary:

Not relevant

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for [x]
People will be safe, in their homes and in the community [x]
Residents will be proud to live in Havering [x]

SUMMARY

Portman House is a former office building undergoing conversion to flats in accordance with a prior approval submission. The site lies within an area where new, higher density housing development is anticipated and the principle of extending the building to provide additional residential units is acceptable. The main issues are whether the extensions would have an acceptable impact on the streetscene, provide an acceptable standard of accommodation for future residents and have an acceptable impact on nearby residential occupiers. Staff consider as a matter of judgement that the potential impacts would not be so significant such as to justify a refusal and the development is judged to be acceptable, subject to the prior completion of a S106 planning obligation to secure a contribution of £30,000 towards education needs and restriction on future occupiers applying for parking permits.

RECOMMENDATIONS

1. That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £6,100 (subject to indexation). This is based on the creation of 305 square metres of new gross internal floor space.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
 - A financial contribution of £30,000 to be used for educational purposes in accordance with the Policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
 - All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- An agreement that prevents future occupiers of the development from applying for parking permits in the nearby controlled parking zone, with the exception of blue badge holders.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- That Head of Regulatory Services be authorised to enter into a legal agreement 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 (as set out on page one of this decision notice).

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.

3. *Materials* - The development hereby permitted shall not be commenced until samples of all materials to be used in the external construction of the buildings and hard landscaped areas have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement 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.

4. *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 submitted to and agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. *Cycle storage* - Prior to completion of the development 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: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability in accordance with Policy DC36 of the LDF Development Control Policies Development Plan Document.

6. *Secured by Design* - The development hereby permitted shall not be commenced until details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included have been 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 Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

7. *External lighting* - The development hereby permitted shall not be commenced until a scheme for the lighting of external areas of the development, including any access roads, 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 that phase of the development and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. Submission of this detail prior to occupation in the case of new

building works or prior to the use commencing in the case of changes of use will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. *Hours of construction* - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

9. *Vehicle Cleansing* - No works shall take place in relation to any of the development hereby approved until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works.

The submitted scheme will provide the following details:

- a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.
- c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.
- g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61

10. *Construction methodology* - The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on that phase on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust management controls
 - d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
 - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
 - f) a scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
 - g) a scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

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

11. *Accessibility* - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

12. *Renewable energy* - A renewable energy system for the development shall be installed in accordance with details previously submitted to and agreed in

writing by the Local Planning Authority and shall be made operational prior to the residential occupation of the development. Thereafter, it shall be permanently retained.

Reason: Insufficient information has been supplied with the application in relation to renewable energy to meet the requirements of Policy 5.2 of the London Plan. The submission of details prior to commencement is necessary to ensure that the proposals would meet the terms of this policy and in the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

13. *Noise insulation* - The noise level in rooms of the development hereby permitted shall meet the noise standard specified in BS8233:2014 for internal rooms. Details shall be submitted to the local planning authority prior to first occupation of the development to demonstrate that this has been achieved.

Reason: In order to comply with Policies CP15, DC55 and DC 61 of the Local Development Framework Development Control policies Development Plan Document.

Informatives

1. *DMO Statement* - Statement Required by Article 35 (2) of the Town and Country Planning (Development Management) Order 2015. In accordance with paragraph 186-187 of the National Planning Policy Framework 2012,
2. *Mayoral CIL* - The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £6,100 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. *Planning obligation* - The planning obligations required has 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.
4. *Temporary use of the highway* - If any construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.

5. *Secured by Design* - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

REPORT DETAIL

1. Site Description

- 1.1 The application site lies on the south side of Victoria Road and comprises a former office building currently undergoing conversion to flats. Portman House is three-storey on the Victoria Road frontage with a fourth and fifth storey both set back from the main frontage. To the rear of the main building is a two-storey extension that extends southwards towards the rear boundary of the site. The building is constructed in brick with a flat roof. There is a rear yard and parking area that take access from Alexandra Road via Hearn Road.
- 1.2 The site lies on the edge of Romford town in an area that is characterised by mainly ground floor A Class uses (retail and restaurant) with residential above. The properties adjoining the site have two storeys of flats above the ground floor with a similar architectural style to Portman House. The property to the east, Victoria House also extends behind the Victoria Road frontage with three storeys of residential units. To the rear of the site the area is residential with a mixture of flats and mainly terraced dwellings.
- 1.3 The main entrance is from Victoria Road which provides access to a lift and stairs to all floors. There is also access to Portman House from the rear of the building from the parking area.

2. Description of proposal

- 2.1 This is a full application for the extension and conversion of the existing building to provide five flats. There would be four one-bed units and one two-bed. Three of the one-beds would be accommodated in a single storey extension above the two-storey rear section of Portman House. The two-bed unit and the remaining one-bed would be accommodated above the fourth floor of the main building. These two units would be formed by the conversion of the existing fifth floor and its extension northwards towards the Victoria Road frontage.
- 2.2 Access would be through the existing entrance onto Victoria Road and via the existing lift and stairs. There would also be access from the rear of the building. No part of the development is dependent on the conversion works currently in progress.

2.3 The extensions would be finished in a lightweight cladding to complement the existing brickwork with windows to match those to be inserted as part of the conversion.

2.4 No additional car parking spaces are proposed to the eight already approved for the main conversion.

3. **Relevant History**

3.1 P1081.15 - Erection of 2 no. mews houses - pending

3.2 P0529.15 - External changes to existing building including minor reconfiguration of window pattern, removal of M&E installations, replacement of all windows, fitting Juliet balustrade to facade and general cleaning and re-pointing of facade. New bin store at site entrance and hard and soft landscaping - approved

3.3 J0008.14 - Prior Approval application for change of use from office to residential for ground, first, second, third and fourth floors (24 residential units) - approved

4. **Consultations/Representations**

4.1 138 neighbour notification letters have been sent to local addresses. No letters of representation have been received.

4.2 Thames Water - no objections.

4.3 London Fire Brigade (Water Team) - satisfied with the proposals.

4.4 Network Rail - no objections

4.5 London Fire and Emergency Planning Authority - development should comply with relevant Building Regulation for fire access.

4.6 Streetcare (Highway Authority) - no objections, but requests S106 agreement to prevent future occupiers obtaining residents' parking permits.

4.7 Public Protection - no objections

5. **Relevant Policies**

5.1 Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD):- Policies CP1 (Housing Supply); CP4 (Town Centres); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 (Environmental management); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC7 (Lifetime Homes and Mobility Housing); DC29 (Education Premises); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC49 (Sustainable Design and Construction); DC50

(Renewable Energy); DC53 (Contaminated Land); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places) and DC72 (Planning obligations).

- 5.2 Romford Area Action Plan:- Policy ROM14 (Housing Supply) and ROM11 (Retail Fringe).
- 5.2 In addition, the Evidence base to Planning Obligations SPD, Residential Design SPD, Designing Safer Places SPD, and Sustainable Design and Construction SPD are also material considerations.
- 5.3 London Plan: - Policies 2.15 (Town Centres) 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 4.7 (Retail and Town Centre Development and 8.2 (planning obligations) and the Housing Supplementary Planning Guidance.
- 5.4 The National Planning Policy Framework and the National Planning Practice Guidance are also relevant.

6. **Staff Comments**

Principle of the development

- 6.1 The application site lies within an area which is designated for higher density residential development under Policy ROM14 of the Romford Area Action Plan. Whilst the policy is not specific about how such development would be achieved it allows in principle new residential development above and outside of the fringe retail frontage defined in Policy ROM11 of the Area Action Plan.
- 6.2 The site is in a sustainable location with very good access to public transport given the proximity of Romford station (175 metres) and town centre bus services. The site is very close to the amenities provided by Romford Town Centre, including shops and entertainment facilities. The provision of new housing close to local amenities and services would, therefore, also accord with the principles of the National Planning Policy Framework (NPPF) for sustainable development.
- 6.3 Subject to the development providing an appropriate standard of accommodation for future occupiers; having an acceptable impact on adjoining occupiers and on the character and appearance of the area the development can be considered acceptable.

Density/Site Layout

- 6.4 Policy ROM14 does not define appropriate densities for the policy area, but as the site has a PTAL value of 6 the density range of between 240-435 units per hectare for flatted development set out in Policy DC2 is considered appropriate. The conversion of Portman House to residential is permitted development, subject to a prior approval procedure. The scheme granted prior approval under J0008.14 was for 24 one and two-bed flats. The site has an area of 0.144 hectares giving a gross density of 201 units per hectare with the addition of the five flats proposed. The London Plan Housing SPG also sets out

guidance densities for new residential development which are similar to DC2 for central areas. Within the central Romford area densities for flats in excess of 200 units per hectare are indicated under this guidance. The guidance in the NPPF also encourages new higher density residential development in sustainable locations, including town centres. The density that would result from the additional flats would, therefore, be in accordance with the policies and guidance.

- 6.5 The SPG also sets minimum floorspace standards for all housing types, although these have been updated recently through the issue of national space standards. The proposed units would meet these standards. However, whilst meeting these layout parameters indicates that the development would be broadly acceptable, account also needs to be taken of the character of the local area and whether the scale of the development is appropriate in terms of its appearance in the local context. Account also needs to be taken of any adverse impact on the amenity of nearby occupiers.
- 6.6 In terms of amenity space provision each of the five flats would have their own balcony, two facing onto Victoria Road and three facing towards residential areas to the west. Three of the balconies would exceed the recommend size of 5 square metres in the London Plan SPG and the Residential Design SPD; the other two would be just below. However, the balconies would be relatively private and usable and overall the level of amenity space is considered to be appropriate in scale and layout for a town centre development.

Design/Impact on the streetscene

- 6.7 The application site is located on the edge of Romford Town Centre in an area of mixed uses with predominantly commercial on the ground floor with residential above. The two units on the Victoria Road frontage would be set back from the main elevation and whilst forward of the existing fifth floor would not be readily visible from the street. Therefore, there would be no material impact on the streetscene. The extension to the rear would not be visible from Victoria Road or from any public view points to the rear. The third floor rear extension would be visible from residential properties on either side, in particular those in Victoria House and Kingsmead Mansions. However, the extension would sit within the existing footprint of the building and given the limited scale of the extension the overall visual impact on the area is judged to be acceptable subject to the detailed approval of materials to be used.
- 6.8 The National Planning Practice Guidance states that good quality design is an integral part of sustainable development. The guidance in the NPPF is that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. LDF Policy DC61 requires that new buildings and extensions to existing ones complement or improve the character of the area and respect the scale, massing and height of the surrounding physical context. The proposed extensions are judged to be of a design and scale that would be compatible with the surrounding area and would have no material adverse

impacts on the character and appearance of the area. The proposal would, therefore, be in accordance with DC61 and the guidance in the NPPF.

Impact on Amenity

- 6.9 Victoria House and Kingsmead Mansions lie on either side of the proposed third storey extension to the rear of Portman House and both have a separation of about 13 metres away from the building. This is a similar separation to that between the two buildings that make up Kingsmead Mansions. There is the potential for some adverse impact on the amenities of existing residents. The increase in height would result in some loss of light for residents of both buildings, especially those on the ground and first floors and loss of outlook for those on the second floor. However, the extension would be no higher than these properties and within the existing building footprint. Portman House is already due to be occupied for residential purposes under the prior approval; therefore, a similar relationship with nearby properties is due to occur in any event. As a matter of judgement Staff consider that the additional second floor units would not make a material difference to this situation. Therefore, whilst the extension would have some adverse impact it would not be so significant as to justify refusing permission on this ground.
- 6.10 In addition the increase in height gives rise to the potential for some overlooking and inter-looking between existing and proposed flats. No new windows are proposed in the eastern elevation facing Victoria House so these impacts would not arise. However, windows and balconies are proposed on the western elevation which would face obliquely towards Kingsmead Mansions and some of the rear gardens of houses in Kingsmead Avenue. This is a similar relationship to the units being formed within the existing fabric of Portman House under the prior approval; however, amenity considerations do not form part of prior approval determinations.
- 6.11 The proposed balconies would be set within the building rather than projecting outwards. However, there would be the potential for overlooking from some of the balconies into the nearest gardens. There would also be the potential for some inter-looking with the nearest flats in Kingsmead Mansion, some of which also have balconies at first and second floor level.
- 6.12 The area behind the main frontage in Victoria Road includes a number of residential blocks between which there are some tight relationships. However, the area is allocated for higher density residential development where new buildings are likely to be relatively close to existing ones. In this particular case it will be a matter of judgement for members as to whether the proposed balconies would have an unacceptable impact on existing residential occupiers. The alternative would be to seek the removal of the balconies, but this would leave the three flats without any amenity space. In this case Staff consider that the level of potential impact would be acceptable. The balconies would be relatively small (2.9 metres wide) and contained within the building.
- 6.13 In relation to the impact on the amenities of existing residents the rear second storey extension does give rise to the potential for adverse impacts. On balance

Staff consider that these would be acceptable, but should members judge them to be significant, then in combination could amount to a material objection to the proposals.

Parking and Highway Issues

- 6.14 The London Plan Housing SPG and the density matrix in LDF Policy DC2 indicate that less than one space per unit would be acceptable given the high public transport accessibility level (PTAL) of 6. No objections are raised by Streetcare (Highway Authority). Given the accessibility of the site to local services and public transport staff consider that the site is in a sustainable location and a car free development would be acceptable. However, as there are controlled parking zones within the vicinity of the site Streetcare recommended the S106 agreement include a restriction on applications by future residents, with the exception of Blue Badge holders.

Infrastructure impact of the development

- 6.15 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 6.16 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.17 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.18 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.19 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable

mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.

- 6.20 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.
- 6.21 It would, therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6,000 per dwelling (net increase) for educational purposes would be appropriate.
- 6.22 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. There would be a net addition of 6 units and a charge of £36,000 is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.

Affordable Housing

- 6.23 Under the prior approval procedure the Council is unable to seek any affordable housing provision where offices are being converted to residential. The current application is for five units only so in isolation would fall below the threshold in Policy DC6. However, the policy allows the Council to seek affordable housing where development is brought forward in phases under 9 units, based upon the capacity of all the phases, including those already permitted.
- 6.24 In this case the 24 units currently being developed are a conversion/change of use of the existing building while the current application is for an extension of the building. Staff are satisfied from an inspection of the building that the current development is not contingent on the prior approval scheme first being completed and could in theory be undertaken independently, even though this is unlikely given the progress in conversion works. The current proposals could be implemented using the existing access, lift and stairs and be occupied separately. In these circumstances Staff consider that it would not be appropriate to seek affordable housing under the terms of the policy as it would not apply given the particular circumstances of the overall proposals for Portman House.

7. Mayor's Community Infrastructure Levy (CIL)

7.1 All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. Part of the fifth floor, amounting to 37 square metres, was used as part of the former offices and is to be converted to residential. Making allowance for this there would be a net increase of 305 square metres giving a CIL liability of £6,100 at £20 per square metre (subject to indexation).

8. Conclusions

8.1 The site lies within an area identified for higher density development in the Romford Area Action Plan. The existing Portman House is currently undergoing conversion to flats under a prior approval scheme. The additional five units would, therefore, be acceptable in principle. The main issues relate to the design and scale of the new building works and their impact on the character and appearance of the area, the impact on adjoining occupiers and the standard of accommodation to be provided.

8.2 Staff consider that, as a matter of judgement the proposed development would not be materially harmful to the character and appearance of the area. It would provide an acceptable standard of accommodation for future occupants and as a matter of judgement would not have any material impact on occupiers of nearby and adjoining buildings. On the other hand should members consider that the potential impact on adjoining residential occupiers, in particularly those in Kingsmead Mansions, would be significant and amounts to a material objection to the proposals then this could form a reason for rejecting or seeking revisions to the application.

8.3 Staff consider that on balance planning permission should be granted subject to the prior completion of a S106 legal agreement to secure a financial contribution towards education costs associated with the development and a restriction on future occupiers applying for resident parking permits.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

Legal resources will be required to prepare and complete the S 106 legal agreement. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied that the

contribution required is compliant with the statutory tests set out in the CIL Regulations relations to planning obligations

Human Resources implications and risks:

None

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Application form and plans received 21st September 2015.

REGULATORY SERVICES COMMITTEE

12 November 2015

REPORT

Subject Heading:

St George's Hospital, Suttons Lane, Hornchurch

P0321.15 The redevelopment of the St George's Hospital site inclusive of partial demolition and conversion of existing buildings to provide up to 290 dwellings on 10.0 ha of the wider site, together with associated car parking, landscape and infrastructure works (received 09/03/15, revisions and additions received 22/07/15)

P0323.15 The redevelopment of the St Georges Hospital site inclusive of partial demolition of existing buildings to provide up to 3,000m² of new healthcare facilities on 1.74 ha of the wider site, together with the construction of a new vehicular access from Suttons Lane, associated car parking, landscape and infrastructure works. (received 09/03/15, revisions and additions received 22/07/15)

Ward

Hacton

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

- Havering will be clean and its environment will be cared for [x]
- People will be safe, in their homes and in the community [x]
- Residents will be proud to live in Havering [x]

SUMMARY

This report considers two outline planning applications that have been received for the redevelopment of St. George’s Hospital, Suttons Lane, Hornchurch. The site has been vacant since 2012 and is now surplus to requirements. Both applications are submitted with all matters reserved except for access although the proposals set development parameters and a scale threshold for development. An illustrative masterplan for the overall development of the site has also been submitted.

P0321.15 is for the partial demolition and redevelopment of 10 hectares of the St George’s Hospital site to provide up to 290 dwellings including the retention and conversion of some of the existing buildings, new build residential housing and apartments, together with the creation and retention of areas of open space, a linear park and swale gardens and play space areas.

P0323.15 is for the redevelopment of 1.74 ha of the St. Georges Hospital site located to the north west of the site for the purposes of providing up to 3,000 sq m of new healthcare development together with a new vehicular access, plus car parking, infrastructure and landscaping.

The principal planning considerations arising from the proposals are the acceptability of the redevelopment of this Green Belt site in principle and the impact upon the Green Belt of the developments proposed, the impact of the proposals in terms of design, layout, scale and appearance, landscaping proposals, environmental implications, affordable housing, mix and tenure, parking and highway issues, the impact on local amenity and on community infrastructure.

Staff consider the proposal to be acceptable, subject to no contrary direction from the Mayor for London, the completion of a Section 106 legal agreement and conditions.

RECOMMENDATIONS

P0321.15 – Residential Redevelopment

That the proposal is unacceptable as it stands but would be acceptable subject to

A: No direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008); and

B: The Head of Regulatory Services being authorised to negotiate and agree a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision on site of 15% of the units within the development as affordable housing (with a tenure split of 50% social rent to 50% intermediate housing) or alternatively 15% affordable provision on site (with a tenure split of 50% social rent to 50% intermediate housing) or greater than 15% overall affordable provision by providing suitable commuted sum for off-site provision of social rented housing
- Payment of £1,570,000 to the Council to be used for educational purposes
- Payment of £150,000 to the Council for improvements to Hornchurch Country Park
- Payment of £20,000 to Transport for London for improvements to cycle storage facilities at Hornchurch Station.
- To provide training and recruitment scheme for the local workforce during construction period.
- Landscaping and management of all public open space within the development in perpetuity in accordance with an agreed management scheme and the final delivery of public open space with unfettered access to the public prior to first occupation of no more than 250 dwellings.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums shall be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council
- The Developer/Owner shall pay the Council's reasonable legal costs in association with the preparation of the legal agreement, prior to the completion of the agreement, irrespective of whether the legal agreement is completed.
- The Developer/Owner shall pay the appropriate planning obligations monitoring fee prior to completion of the agreement.

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.

Mayoral CIL

That the Committee notes that as an outline planning application the development proposed would be liable for the Mayor's Community Infrastructure Levy (CIL) which would be calculated and levied at Reserved Matters stage

Subject to recommendations A) and B) above that planning permission be granted subject to the following conditions, full details of which are included as Appendix 1:

Summary of Conditions

1. Outline - Reserved Matters to be Submitted
2. Outline - Time limit for submission of details
3. Complete Accordance with plans
4. Phasing
5. Reserved Matters for Each Phase
6. Reserved Matters Details for Each Phase
7. Accordance with Development parameters
8. Number of residential units
9. Footprint
10. Space Standards
11. Housing Mix
12. Details of materials
13. Boundary treatment
14. Lighting
15. Landscaping
16. Landscape Management Plan
17. Public Open Space Design
18. Protection of Preserved Trees
19. Obscure Glazing
20. Design Statement
21. Access Statement
22. Wheelchair Accessibility and Adaptable Homes
23. Sustainability and Energy Statement
24. Car Parking
25. Car Parking Reservation
26. Visibility Splays
27. Cycle storage
28. Highway Improvement Works
29. Electric Vehicle Charging Points
30. Fire Brigade Access
31. Detail of Fire Hydrants
32. Freight Strategy
33. Travel Plan
34. Surface Water Drainage
35. Foul and Surface Water Strategy

36. Surface Water Pollution Prevention
37. Water Efficiency
38. Internal Noise
39. Designing for Community Safety – Secured By Design
40. Air Quality Assessment
41. Refuse Storage and Segregation for Recycling
42. Archaeological Investigation
43. Species Surveys and Mitigation
44. Biodiversity Enhancement
45. Construction Environmental Management Plan
46. Hours of Construction
47. Wheel Washing
48. Contamination Assessment (1)
49. Contamination Assessment (2)
50. Gas Protection Measures
51. Inclusive Access and Wayfinding Strategy
52. Removal of Permitted Development Rights.

P0323.15 – Healthcare Facility

That the proposal is unacceptable as it stands but would be acceptable subject to

A: No direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008); and that the proposal be approved subject to the following conditions.

Mayoral CIL

That the Committee notes that as a planning application for a healthcare use the development proposed is not liable for the Mayor's Community Infrastructure Levy (CIL).

Subject to recommendations A) above that planning permission be granted subject to the following conditions, full details of which are included as Appendix 2:

Summary of Conditions

1. Outline - Reserved Matters to be Submitted
2. Outline - Time limit for submission of details
3. Complete Accordance with plans
4. Accordance with Development parameters
5. Footprint
6. Details of materials
7. Boundary treatment
8. Lighting
9. Landscaping
10. Landscape Management Plan
11. Protection of Preserved Trees

12. Design Statement
13. Access Statement
14. Sustainability and Energy Statement
15. Car Parking
16. Visibility Splays
17. Cycle storage
18. Highway Improvement Works
19. Electric Vehicle Charging Points
20. Fire Brigade Access
21. Detail of Fire Hydrants
22. Freight Strategy
23. Travel Plan
24. Surface Water Drainage
25. Foul and Surface Water Strategy
26. Surface Water Pollution Prevention
27. New Plant Noise
28. Designing for Community Safety – Secured By Design
29. Air Quality Assessment
30. Refuse Storage and Segregation for Recycling
31. Archaeological Investigation
32. Species Surveys and Mitigation
33. Biodiversity Enhancement
34. Construction Environmental Management Plan
35. Hours of Construction
36. Wheel Washing
37. Contamination Assessment (1)
38. Contamination Assessment (2)
39. Gas Protection Measures
40. Inclusive Access and Wayfinding Strategy
41. Restriction of Use

REPORT DETAIL

1. **Background**

- 1.1 These outline planning applications have been submitted by NHS Property Services and are an important part of the lengthy procedure involved in the development of new health care facilities and the disposal of surplus NHS land and property. The case for the redevelopment of the St George's site has been in process since 2012/13 and was finally approved by NHS England in 2014.
- 1.2 Havering Clinical Commissioning Group (CCG) now needs to develop a detailed business case for the development of a new health facility and securing an outline planning permission is an intrinsic and important part

of that process. In developing the business case the CCG has looked at the overall size of the plot required to develop a health centre and the site area identified is the maximum required.

- 1.3 The remaining majority of the St George's Hospital site has been declared surplus to NHS requirements. Outline planning permission is therefore being sought for residential redevelopment of the surplus land and buildings prior to marketing the site. By developing a set of parameters and guidelines for the site's future development an outline planning permission would help ensure that the sale of the surplus site and buildings achieves "best value". The receipt from any sale would be recycled indirectly back into health service facilities so could be viewed generically as contributing towards the development of healthcare services in the Borough and on this site.

2. **Site Description**

- 2.1 The site is located on the eastern side of Suttons Lane some 800m south of Hornchurch underground station with Hornchurch town centre a similar distance again north of the station.
- 2.2 The site is bound to the north by residential properties in Hacton Drive which back onto the site and to the west by Suttons Lane with houses facing the site across the road. To the east and south are open areas comprising the Ingrebourne River Valley and Hornchurch Country Park. The site is broadly rectangular with an overall area of 11.74 ha (29 acres). The site is relatively flat but does fall from west to east and north to south.
- 2.3 The site lies within the Green Belt and is identified as Major Developed Site within the Green Belt in the LDF. The Ingrebourne Valley to the east and Hornchurch Country Park to the south are identified as Metropolitan and Borough Sites of Importance for Nature Conservation (SINC) respectively. 800m to the south of the site the Ingrebourne Valley is identified as a Site of Special Scientific Interest (SSSI).
- 2.4 There are two existing vehicular access points to the site, both from the west via Suttons Lane. The main access is broadly located in the centre of the western boundary with the second access point located towards the south-west corner.
- 2.5 The site is characterised by large red brick institutional blocks set within their own or shared landscape comprising of lawns, parking, hard standing roads and paths, and groups of trees. The blocks are predominantly two storey but with high ceilings and steeply pitched roofs and are typical of the inter war institutional style. A group of buildings towards the north east of the site are more utilitarian plant related including plant and power rooms, laundry, workshops, garages and fuel tanks. A long single storey corridor links many of the former ward buildings on the site. .

3. Description of Proposals

3.1 Form of Applications

3.1.1 The planning applications were submitted simultaneously and are both submitted in outline with all matters reserved save for access. The documentation is common to both applications and includes the following:

- Planning Statement
- Design and Access Statement
- Archaeological Desk Based Assessment
- Heritage Assessment and Historical Background
- Arboricultural report
- Baseline and Phase 2 Ecological Surveys and Assessment
- Transport Assessment
- Flood Risk Assessment
- Energy Strategy
- Sustainability Strategy
- Geoenvironmental and Geotechnical Investigation and Risk Assessment
- Affordable Housing Statement
- Statement of Community Involvement

3.1.2 Separate drawings and parameter plans accompany each application with a common illustrative masterplan which shows one way in which the site could be developed and upon which the various assessments have been based.

3.2 **P0321.15 – Residential Redevelopment**

3.2.1 The proposal is an outline application for the redevelopment of 10 ha of the St. Georges hospital site for residential purposes including the retention and conversion of some of the existing buildings, new build residential housing and apartments, together with the creation and retention of areas of open space, a linear park and swale gardens and play space areas.

3.2.2 The site has a frontage of 335m to Suttons Lane, a depth of 242m at its southern end and a maximum of 280m towards the northern end. The site also has a 96m boundary with the rear of No's 46 to 66 Hacton Drive where the site extends behind the area identified for healthcare development.

3.2.3 The physical development parameters of the proposal are linked to a number of plans. These identify, development parcels and their function, a construction and phasing strategy, a demolition plan, strategic open space cycle/pedestrian/vehicular movement, building heights and density. An illustrative Masterplan demonstrates one way in which the site might be developed in line with the parameter plans.

3.2.4 The quantum of development is also defined and in land use terms the scheme will provide for:

- Not more than 290 residential units;
- The retention, refurbishment and conversion of 6 key buildings along the frontage of the site (119/121 Suttons Lane, the Willows building, Gatehouse, Admin and Ingrebourne buildings and the northern ward block) to provide 87 apartments and houses.
- New build development of 203 dwellings.
- A predominant height of two to three storeys with no more than 3 locations identified for 4 storey development.
- Developed parcels not to exceed 6.54 ha.
- New housing laid out on a predominantly perimeter block arrangement except where adjacent to or backing onto the healthcare site or properties in Hacton Drive.
- An indicative masterplan mix of housing which would deliver:
 - 13% 1 bed apartments
 - 28% 2 bed apartments
 - 4% 3 bed apartments
 - 12% 2 bed houses
 - 25% 3 bed houses
 - 14% 4 bed houses
 - 4% 5 bed houses
- 15% of units offered as affordable housing.
- Car parking at a rate of 1.7 per unit overall.

3.2.5 A landscape strategy is defined in the Design and Access Statement which has been formulated in response to the existing features of the site and would aim to protect key views, mitigate the impact of the development, retain and protect key tree groups, individual specimens and boundary vegetation, enhance the ecology of the site through the creation of new habitats including SuDs (Sustainable Urban Drainage Systems), attractive high quality open spaces and play opportunities. A hierarchy of strategic open space is identified in plan TP110.

3.2.6 The development of the site would accord with the general principles set in plan TP104 - Zone Uses and Access, together with TP107 – Cycle/Pedestrian Vehicular Movement which demonstrate how the site would be linked and accessed via primary and secondary roads, pedestrian and cycle routes. The intention is to base the redevelopment of the site around the retention of the original well spaced pattern of healthcare development along Suttons Lane and to enhance the long vistas through the site to the Ingrebourne Valley beyond. Much of the new development would be set behind the retained buildings framing the long vistas and open spaces.

3.2.7 The proposals include Sustainable Urban Drainage measures incorporated into the open spaces and comprise a combination of source control SuDS, swales and attenuation basins.

3.3. **P0323.15 – Healthcare Facility**

3.3.1 The proposal is an outline application for the redevelopment of 1.74 ha of the St. Georges Hospital site located to the north west of the site for the purposes of providing up to 3,000 sq m of new healthcare development together with a new vehicular access, plus car parking, infrastructure and landscaping. The site has frontage of 89m to Suttons Lane and an overall depth of 186m. The northern boundary of the site is contiguous with the flank boundary of 111 Suttons Lane and the rear boundary of No's 2 to 44 Hacton Drive

3.3.2 The illustrative layout for the healthcare development provides a design that embodies the principles that would be adhered to at reserved matters stage. The elements comprise:

- 2 to 3 storeys in height
- Building to be located in the south western portion of the site with a building line no closer to Suttons Lane than any of the existing larger hospital buildings.
- Incorporates provision for the location of a portable MRI unit.
- Provision of 50 dedicated parking spaces.
- Existing and enhanced buffer landscaping to the northern and eastern boundaries.
- Linear landscaped area along Suttons Lane.

3.3.3 The services that would be provided in the healthcare development cannot as yet be confirmed. However, it is indicated that it would include facilities for an extended primary care centre, a centre for a local integrated care team and for secondary care community services, day assessment and diagnostics including imaging and phlebotomy, flexible space for education and a location for voluntary and community sector providers.

4. **History**

4.1 St. George's Hospital was opened in 1939 as Suttons Institution and was brought into use during World War II to house airmen at RAF Hornchurch. In 1948 it was renamed St. George's when it became part of the NHS.

4.2 The site has an extensive planning history but there have not been any recent planning applications directly relevant to the scheme proposals. Applications in recent years have related mainly to changing access arrangements, telecommunications masts etc.

5. Consultation/Representations

- 5.1 The proposals have been advertised as a major development by the display of site notices and by an advertisement in the local press. A copy of the planning application has also been available in Hornchurch Library. A total of 446 individual properties were notified directly of the proposals. Both applications were referable to the Mayor of London as they are located in the Green Belt and involve the construction of a building/s with a floorspace of more than 1,000 square metres or the change of use of such building, and because the development includes the provision of more than 150 dwellings.

Representations

- 5.2 A total of 13 letters of representation have been received, 9 of which raise objections and make comments in relation to the residential proposals with 4 raising some concerns about the healthcare proposals. Several of the letters are generally supportive of the healthcare proposals. The following matters are raised in summary:

P0321.15 – Residential

- Increased pressure on local services, schools, Dr's etc;
- Increased traffic on a road that is already busy, widening of road and right turn lane may increase speed and make road more dangerous;
- Increased pollution from traffic plus noise and dust from construction;
- Additional parking problems;
- Fear that once sold the site would be developed at a higher density than shown on current plans, that frontage buildings may not be retained and that open area at the front of the site may be developed.
- Height and density of development should be no greater than that which exists, so there should be nothing higher than 3 storey.
- Any development should have adequate parking, gardens and green space should be retained;
- Site is unsuitable for housing, no affordable housing should be incorporated;
- Future maintenance of landscaping needs to be ensured;
- Site would be better developed for a retirement village;

P0323.15 – Healthcare

- Privacy and amenity of neighbours in Hacton Drive should be protected;
- No details of the facilities to be provided or the hours or days of operation have been provided;
- Additional traffic will result.

General

- Pre-application consultation was inadequate and poorly carried out;

- A request has been made for the inclusion of a pre-school nursery.

Consultations

Environment Agency – Requested conditions requiring a detailed water surface drainage scheme and a scheme to install appropriate surface water pollution prevention and treatment measures.

Essex and Suffolk Water – No objections.

Essex Wildlife Trust – The Trust are building a visitor centre adjacent to the site. The new housing will benefit from the proximity of Hornchurch Country Park. The visitor centre will provide improved facilities for park users and visitors but car parking will be insufficient in the future. EWT are seeking a developer contribution for car parking improvements.

Greater London Authority – The Mayor considers that the application does not comply with the London Plan.

The proposed land use for provision of a healthcare facility and residential use is supported subject to further review of the master plan and assurance of the securing of design quality. The footprint and floor space should be secured as a maxima.

There is a preference for a mix which allows for a greater number of large 3 bed+ properties. A condition to secure the housing mix is requested.

The affordable housing offer of 10% is considered to be low and the viability assessment should be independently assessed and the findings shared with the GLA.

There are areas of the spatial development approach which require some adjustment to ensure design quality throughout. The illustrative parameter plans need to be refined so that they can be secured by condition. The applicant is also required to include the additional GLA development principles and finalised parameter plans, plot guidance and design coding/development principles should be agreed before Stage 2 – together with appropriately worded condition/s.

The applicant has not provided a play strategy or completed an assessment of child yield using the Mayor's *Shaping Neighbourhoods : Play and Recreation SPG (2012)*. The applicant should undertake this calculation work and the findings should relate to its play strategy.

The applicant should provide assurances over the following issues in order to ensure that inclusive access is properly addressed through future reserved matters application.

- Site levels and how easy access is secured across the site and at all crossing and transition points should be shown on the parameter plan

- Blue Badge parking spaces for residents and visitors should be located as close as possible to residential entrances.
- 100% of homes should meet Lifetime Homes standards and 10% of homes should be designed to be wheelchair accessible or easily adapted for occupation by a wheelchair user. Wheelchair homes should be distributed across the tenure and unit sizes.

No reserved matters application should be submitted until an inclusive Access Strategy and a Wayfinding Strategy has been submitted to and approved by the LPA.

A number of matters are highlighted in respect of energy, heating and carbon saving and a condition is requested requiring the development to achieve a 35% carbon reduction against a Part L 2013 Building Regulations development.

Cycle parking should be brought into line with the current London Plan requirements. Further trip information is required in order to identify if any capacity issues will be likely. An assessment of local bus stops should be undertaken to determine whether they comply with TfL's Accessible Bus Stop Design guidance. The level of car parking proposed is likely to be out of accordance with the London Plan and a plan showing how the parking spaces are to be allocated should be provided.

Historic England – The submitted Archaeological Assessment identifies the existence of prehistoric settlement features across the application site. The surviving buildings and structures are themselves of historic and in some parts of architectural significance. Conditions are suggested to ensure that the archaeological significance of the site is properly investigated and recorded together with an appropriate recording of historic buildings on the site prior to any alterations or demolition taking place.

LBH Education – All Local Authorities including Havering have a statutory duty to ensure that there are enough school places available in the borough to accommodate all children who live in the borough and might require one. The increase in demand for school places has meant that in some areas of Havering the demand for places is higher than the number of places available.

The expected child yield generated from the 290 proposed units will be as follows:

Total expected primary child yield is 90 primary children

Total expected secondary child yield is 60 secondary children

Total expected early years child yield is 32 children (age 0 to 5)

The latest authority's school roll projections for primary pupils show that currently and for the immediate future there is a great demand for school places. Therefore any additional children will put more pressure on the demand for schools places in the local area. Despite creating additional school places in recent years there is very little surplus operating capacity and the expected 90 primary children generated by this development, will create additional pressure on school places in the near future.

The secondary school roll is projected to increase and by 2019/20 there will be a deficit of secondary school places. Therefore any additional secondary school children generated from this development will put a greater pressure on the demand for secondary school places.

LBH Energy – Recommends conditions that the final scheme must comply with the details shown within the Energy Assessment and Sustainability Strategy and that evidence of the BREEAM and/or Code for Sustainable Homes rating (or its equivalent) must be provided

LBH Environmental Health – Conditions requested in respect of land contamination, gas protection, demolition method statement, construction method statement and levels of noise insulation

LBH Highways – No objections subject to the imposition of conditions and informatives related to pedestrian visibility splays, vehicle access, highway improvement works, wheel cleaning and matters related to changes to the public highway and temporary use of the highway.

LBH Property Services – Expresses concern that if access points are or could be created from the application site to adjacent land that additional pressure for development of areas to the north and east of the development site will occur. Particular concern is raised about indicative points of access onto 3rd party land which will encourage unauthorised access and place greater pressure for development and unauthorised use of the Green Belt.

LBH – Flooding and Drainage – Outline drainage and SuDS. Proposals are acceptable and achieve good run-off rates.

London Fire Brigade – Advise that it will be necessary to install 14 new hydrants to cover the development area. A drawing showing indicative locations was supplied.

LFEP A – Advice given that the development needs to comply with the relevant sections of Approved Document B of the Building Regulations

Met Police SBD – General comments related to the principles and practices of Secured by Design which should be incorporated into future reserved matters applications. Recommends that a condition and informative be attached to any permission.

Natural England – Objects to the development on the grounds that the application, as submitted, is likely to damage or destroy the interest features for which the Ingrebourne Marshes SSSI, (approximately 573m away at its closest point) has been notified. Further information is requested regarding surface water and that all waste water will be managed so that there is no likelihood of damage to the interest features of the SSSI. The recreational impacts of the development on the SSSI arising in particular from recreational disturbance and cat predation should be assessed. The introduction of roosting and nesting opportunities for bats and birds through the installation of appropriate boxes is encouraged.

Thames Water – Request a Grampian style condition in respect of a drainage strategy for any on and/or off site drainage works to be approved in advance of any new discharge from the site. The foul water strategy needs to identify the current and proposed points of connection into the public sewer system as well as current and proposed peak flow rates. Advice is also given about the proximity of public sewers to the site.

6. **Relevant Policy**

6.1 Policies CP1 (Housing Supply); CP2 (Sustainable Communities); CP7 (Recreation and Leisure); CP8 (Community Facilities); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP14 (Green Belt); CP15 (Environmental Management); CP16 (Biodiversity and Geodiversity); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC4 (Conversions to Residential and Subdivision of Residential Uses); DC6 (Affordable Housing); DC7 (Lifetime Homes and Mobility Housing); DC20 (Access to Recreation and Leisure Including Open Space); DC21 (Major Developments and Open Space, Recreation and Leisure Activities); DC26 (Location of Community Facilities); DC27 (Provision of Community Facilities); DC32 (The Road Network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC45 (Appropriate Development in the Green Belt); DC46 (Major Developed Sites); DC48 (Flood Risk); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water Supply, Drainage and Quality); DC52 (Air Quality); DC53 (Contaminated Land); DC55 (Noise); DC59 (Biodiversity in New Developments); DC60 (Trees and Woodland); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC67 (Buildings of Heritage Interest); DC70 Archaeology and Ancient Monuments); DC72 (Planning Obligations) of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

6.2 In addition, the Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD and Sustainable Design and Construction SPD are also material considerations.

6.3 Policies 3.1 (Ensuring equal life chances for all); 3.2 (Improving health and addressing health inequalities); 3.3 (Increasing housing supply), 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments), 3.6 (Children’s play facilities), 3.7 (Large residential developments); 3.8 (Housing choice), 3.9 (Mixed and balanced communities), 3.10 (Definition of affordable housing), 3.11 (Affordable housing targets), 3.12 (Negotiating affordable housing), 3.13 (Affordable housing thresholds); 3.16 (Protection and enhancement of social infrastructure); 3.17 (Health and social care facilities); 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.6 (Decentralised energy in development proposals); 5.7 (Renewable energy); 5.10 (Urban greening); 5.11 (Green roofs and development site environs); 5.12 (Flood risk management); 5.13 (sustainable drainage), 5.21 (Contaminated land); 6.2 (Providing public transport capacity and safeguarding land for transport); 6.3 (Assessing effects of development on transport capacity); 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.1 (Lifetime neighbourhoods); 7.2 (An inclusive environment); 7.3 (designing out crime), 7.4 (local character), 7.5 (Public realm); 7.6 (architecture), 7.8 (Heritage assets and archaeology); 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.16 (Green Belts); 7.19 (biodiversity and access to nature); 7.21 (Trees and woodlands) and 8.2 (planning obligations) of the London Plan (LP) and the provisions of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations.

7. **Staff Comments**

7.0 **Introduction**

7.0.1 These applications are seeking Outline planning permission for the redevelopment of the St. George’s Hospital site in Hornchurch. With the exception of the points of access from Suttons Lane, the scope of the applications seek to establish the principle of the developments proposed and the broad parameters to be followed by subsequent submissions of reserved matters applications. Matters of detail are therefore not being determined at this stage, but rather the broad principles including the maximum number of dwellings, which existing buildings are to be retained, the maximum height of development, housing mix, build and no build zones, design ethos, playspace quantum, parking regime, sustainability and Sustainable Urban Drainage (SuDS) features to be incorporated.

7.1 **Principle of Development**

7.1.1 LDF Policy DC46 is specific to the application site, identifying the St. George’s Hospital site as a Major Developed Site in the Green Belt where Green Belt assessment criteria should be used and where “in the event of complete or partial redevelopment the Council will seek proposals for residential or community use, subject to relevant policies in the Plan.” The concept of designated major development sites promoted by PPG2 (Green Belts) has been removed by the NPPF. However, para 89 of the

NPPF identifies that one of the exceptions to the general presumption against inappropriate development in the Green Belt is in relation to “partial or complete redevelopment of previously developed sites....which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.” LDF Policy DC46 can therefore be upheld as remaining in line with National Policy on the Green Belt.

- 7.1.2 LP Policy 3.16 (B) indicates support for high quality social infrastructure proposals and that the suitability of redundant social infrastructure premises for other forms of social infrastructure provision should be assessed before alternative developments are considered. Similarly LP Policy 3.17 indicates support for high quality health and social care facilities in areas of identified need. The site has been declared surplus to requirements by NHS England and a strategic outline case has been made for the redevelopment of part of the site for a new health facility. The availability of the site for partial redevelopment to provide a health care facility is therefore in line with London Plan policies 3.16 (B) and 3.17 and furthermore such use is consistent with the existing lawful use of the site.
- 7.1.3 Policies DC26 of the LDF relates to the provision of new community facilities setting a number of criteria (accessibility, impact upon character and amenity, parking availability and highway impact and flexibility of the building) which need to be satisfied before planning permission should be granted.
- 7.1.4 Policy DC27 relates to the redevelopment of community facilities and requires that it should be demonstrated that there is no longer a need for the facility and that suitable alternative provision should be made.
- 7.1.5 As outlined earlier in this report, St. George’s Hospital is now vacant and redundant as a healthcare facility with the facilities it previously provided absorbed into the wider NHS. The larger part of the site (85%) has been declared surplus to requirements by the NHS whilst the other 15% is to be reused for healthcare purposes. The case for the redevelopment of the St George’s site was approved by NHS England in 2014. The case for the development of a new health facility is on-going and the determining of the current planning applications is an important and intrinsic part of that process. Staff are satisfied that the location of the proposed healthcare facility satisfies all of the necessary criteria of DC26 and the principle of the renewed healthcare provision on the site is supported.
- 7.1.6 Accordingly, subject to meeting the criteria for suitable Green Belt development set out in the NPPF/NPPG and the relevant policies of the LDF where these have not been effectively superseded, the principle of the redevelopment of the site for residential and health care purposes is supported.

7.2 Green Belt Considerations

7.2.1 The application site is located within the Metropolitan Green Belt where great importance is attached at local, regional and national level to the original aims of preventing urban sprawl by keeping land permanently open and protecting the essential characteristics of openness and permanence.

7.2.2 The NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraphs 87 and 88 state:

“as with previous Green Belt policy, inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

7.2.3 However, as set out in the previous section, the partial or complete redevelopment of previously developed sites could be considered appropriate development in the Green Belt if it would not have a greater impact upon the openness of the Green Belt and does not undermine the purpose of the site’s inclusion in the Green Belt. On the other hand, if it were to be concluded that the proposals would have a greater impact on openness or result in some other harm to the purpose of including the site in the Green Belt, then very special circumstances would have to be demonstrated which clearly outweighed such harm. The impact upon the openness of the site, implicitly intertwined with the visual impact of the proposals, is therefore a key consideration to determining the acceptability of the proposals in Green Belt terms.

7.2.4 The applicant has undertaken an assessment of the impact of the development on openness based upon the built form within the Green Belt – the quantum (footprint and volume) and spread of development (development envelope), comparing the development proposals against the existing hospital layout, its buildings and hard surfaces. The masterplan approach with parameter plans defining matters such as development envelopes, building heights, retained buildings, open space and movement is considered to lend itself to analysis of this nature. However, members should be aware that there is no definition of “openness” contained within the NPPF or NPPG, nor are there any criteria within policy or guidance relating to the assessment of a development upon it. A degree of subjective judgement therefore remains however well quantified the comparisons are.

Impact on Openness

- 7.2.5 The application site is characterised predominantly by large institutional style buildings with extensive areas of hard surface, set within a generally grassed and landscaped setting. The redevelopment proposals are contained wholly within the site boundaries and do not propose any significant material spread of development beyond the existing development envelope. There are some marginal relocations of development, but overall by removing and greening areas of existing hard surface, the edge of the developed site would be softened. This is consistent with the Green Belt objective of checking the unrestricted sprawl of the built up area.
- 7.2.6 In terms of objective measurement the proposals demonstrate that the existing and proposed forms of development would provide a similar spread, plan form and layout, but that the proposed amount of built footprint would be reduced by approximately 10%. The proposed scheme would retain the buildings on the frontage of the site but remove a number of the large institutional buildings, re-providing their volume over a number of smaller buildings whilst maintaining the historic block layout of the site. Notably the long corridor run which traverses much of the site and the extensive parking area, fencing and railings along the Suttons Lane frontage of the site would be removed, both of which would contribute positively to the openness of the site.
- 7.2.7 In terms of height the existing buildings are predominantly two storeys high with a number of single storey structures and some notable taller structures, chimneys to the boiler house, which are significantly taller. However, as is often found with inter war institutional buildings, many of the existing two storey healthcare buildings have eaves and ridge heights which are equivalent to modern 3-4 storey residential dwellings.
- 7.2.8 The proposed redevelopment would be of predominantly 2-3 storey heights which both reflects the characteristic scale of domestic architecture in the surrounding area and the heights of existing buildings on the site.
- 7.2.9 Three potential locations for four storey buildings are identified on the residential site. One of these is indicated in the location of the existing boiler house which is currently dominated by the tall chimney structures. The other two are suggested towards the southern end of the site either side of the wide swale garden where a building of this scale would serve as a waymarking feature as well as framing views along the swale gardens. Staff are satisfied that the approach to residential heights proposed would have no greater impact upon the openness of the green Belt than the existing buildings on the site.
- 7.2.10 The healthcare facility is identified as being up to 3 storeys high. Staff are satisfied that in the frontage location indicated, on the same building alignment as the existing 2 storey healthcare buildings it is proposed to

retain, and well separated from the northern boundary, that the impact on openness would be neutral.

- 7.2.11 The test within the NPPF in relation to openness is that any redevelopment should not have a greater impact on the openness of the Green Belt. However, this does not mean that new development has to be re-provided in exactly the same location. In this respect there is a balanced judgement to be made about the comparative impacts of the existing and proposed developments upon the openness of the Green Belt. All matters considered, staff are satisfied in the case of both proposals that the indicative masterplan and the parameter plans demonstrate that the impact on openness would be neutral and therefore have no greater or lesser impact. Policy does not require that the impact on openness should be less so as a matter of judgement, it is concluded that the development is not inappropriate development in the Green Belt. Such judgement is, however, dependent upon strict controls on the retention of buildings, the extent of the development envelope, heights and footprints, for which appropriate conditions are suggested.

Character of Development and Visual Impact

- 7.2.12 Staff are satisfied that the proposals will both increase the openness between buildings and replace clusters of large institutional buildings with residential development of a more domestic scale. The average height across the site will be reduced and east/west vistas towards the Ingrebourne Valley will be opened up by the removal of the transverse corridor structure and a perimeter block layout which respects this ambition.
- 7.2.13 In terms of Green Belt policy the conversion of the existing hospital buildings that it is intended to retain is considered acceptable as it involves the re-use of existing buildings. The indicative plan suggest that the open side of the Willows and Northern Ward blocks could be infilled to complete the quadrangle and create a private inner courtyard/amenity space which would also be in accordance with Green Belt policy. The conversion is considered to be appropriate development in accordance with the Green Belt policy of the NPPF and LDF Policy DC45.
- 7.2.14 The proposed siting and scale of the healthcare facility follows the same principles within the master plan, increasing separation from the residential boundary with Hacton Drive compared to the existing institutional buildings on that part of the site, and softening and enhancing boundary treatments.
- 7.2.15 Overall staff are satisfied that the proposed developments satisfy the necessary tests to be considered an exception to inappropriate development. However, the scale of the development proposed in both instances is considered to be the maximum that could be accepted with the context of current policy and guidance. Suitable conditions are suggested to set maxima for unit numbers and footprint. A floorspace limit

is not considered necessary as the other maxima and parameters are considered sufficient to ensure that the visual impact upon the Green Belt remains acceptable .

7.3 Design, Layout and Density

7.3.1 Policies CP17, DC3 and DC61 of the LDF stress the importance of achieving good design and it is central to all objectives of the London Plan.

7.3.2 Policy DC2 provides guidance in relation to the dwelling mix within residential developments, whilst Policy DC3 provides that in considering applications for new housing development design and access statements should address the number of other policies that impact on the design and layout of new developments.

7.3.3 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area and that development must respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding context.

Layout

7.3.4 The layout of the site is a reserved matter. However, the application is accompanied by an illustrative masterplan and Design and Access Statement (DAS) indicating how development of the site to achieve 290 dwellings and a new healthcare facility may be achieved.

7.3.5 For the residential development the masterplan and parameter plans are based on utilising and expanding the existing hospital road layout and creating a series of urban blocks, the majority based upon a perimeter form of development, whilst retaining a frontage to Suttons Lane of retained, converted hospital buildings of heritage value. The layout also seeks to retain and enhance the visual and physical permeability of the site by creating additional east/west long distance views from Suttons Lane to the open Green Belt of the Ingrebourne Valley, together with new north/south views which will enable views from inside the site to Hornchurch Country Park to the south.

7.3.6 For the healthcare development the location and layout has been developed by testing different options. The location on the northern side of the site has been chosen as sites further to the south or east presented issues with integration with the local community and access, or with the need to access the facility through the proposed residential development. Staff are satisfied that the location identified with independent access from Suttons Lane offers the most beneficial and suitable location.

7.3.7 The development of the urban design strategy and these concepts are identified within the DAS which also identifies a number of landscape

character areas, including swale gardens, informal buffers and transition space, a linear park along the Suttons Lane frontage of the site and a central open space.

- 7.3.8 The masterplan approach and parameter plans submitted with this application are the means by which the design concepts that they contain have been translated into a framework for the future submission of reserved matters for both applications. Parameter plans are submitted for approval including ones which show the density of development, a framework showing where residential areas, the healthcare development, open space and access points, would be located, development heights and a play strategy. The illustrative masterplan demonstrates one way in which this could be translated and given the degree to which the parameter plans can be conditioned should the applications be approved, forms the basis on which it is reasonable to anticipate that future reserved matters applications would be submitted. Staff consider that this approach provides an appropriate strategy for determining the layout for any redevelopment of the site.

Density and Residential Mix

- 7.3.9 The density proposed, based upon the entire site area, is 29 dwellings per hectare, largely as a product of the policy requirement that there should be no greater impact arising from the development on the openness of the Green Belt. This is marginally below the general range for suburban areas of the Borough set out in Policy DC2 of 30 – 50 units per hectare arising from the retention of buildings, street pattern and open spaces. Nevertheless, staff are satisfied that this fits with the Green Belt location and the need to maintain openness and also ensures the heritage legacy of the site is retained and the quality of the character for the redevelopment and no objections are raised.
- 7.3.10 In terms of residential mix the scheme would offer a broad range from 1 bed/2 person apartments to 3 bed/5-6 person apartments and 2 bed / 4 person houses to 5 bed / 7 person houses. In proportion the mix would be slightly biased towards apartments largely as a result of the retention of existing buildings. However, with 160 no. units (55%) proposed as housing the scheme would maintain a mixture which would offer opportunity for all and fit well with the established residential character of the area as well as contributing positively to the Council's goals for new housing. A condition is suggested to ensure that the density and mix set out in the parameter plans is maintained in any reserved matters applications.

Design and Scale

- 7.3.11 The detailed design of the scheme is a reserved matter in both instances. The parameter plans and illustrative plans and material within the supporting documents are considered sufficient to indicate that a relatively spacious development will result; that the setting of the buildings will

ensure adequate levels of sunlight and daylight to residential units; and that the buildings are sufficiently separated to ensure adequate outlook and maintain privacy for future occupiers. Appropriate conditions are suggested to safeguard such matters in future reserved matters applications.

Residential Proposal

- 7.3.12 Policy 3.5 of the London Plan advises that housing development should be of the highest quality internally, externally and in relation to their context and to the wider environment. Nationally Described Space Standards have recently been introduced which prescribe standards for a greater range of unit sizes and it is these that developments now need to meet. These are generally either the same or marginally less than the areas previously required by the London Plan.
- 7.3.13 The schedule of accommodation within the DAS indicates that these standards would be satisfied or exceeded in all cases bar four single bedroom units in one of the retained blocks. Whilst it is stated that these units could not be made bigger, alternatives are suggested which could bring them into line with the National Standards. It is suggested that a condition be attached to any permission requiring that all units meet the Nationally Described Space Standards and, subject to this, it is considered that all of the proposed dwellings would be of an acceptable size for day to day living.
- 7.3.14 The DAS indicates that all of the new accommodation would be designed to Lifetime Homes standards which would be in accordance with Policy DC7 which also requires that 10% of all dwellings should be wheelchair adaptable. However, Lifetime Homes standards have recently been superseded by a combination of the nationally described space standards and additional "optional" Building Regulations to be applied through planning policy. Suitable conditions are therefore suggested to ensure that the relevant standards are maintained.
- 7.3.15 At this outline stage the following characteristics and features for the proposed residential redevelopment are highlighted.
- Retention of the original healthcare buildings and pattern of development along Suttons Lane.
 - Away from Suttons Lane the development pattern changes to a more domestic scale with 2/3 storey housing and 3 no. blocks of apartments of no more than 4 storeys height.
 - A road network based upon existing and enhanced vistas through the site from Suttons Lane with development predominantly on the inner side of the road where close to the southern or eastern boundaries of the site to create a more natural softer edge to the open Green Belt beyond.
 - Active frontages to open spaces.

- An open, useable and accessible linear park along the Suttons Lane frontage a minimum of 15m deep and three longer open west to east vistas through the site from Suttons Lane.
- The retention of substantial areas as public open space (2.4 Ha on residential site), including a central open space which would function as a Village Green and landscaped corridors/ linear swale gardens.
- A play space strategy based upon compliance with London Plan policies and SPG on Providing for Children and Young People providing a range of play areas from a Local Equipped Area of Play (LEAP), 3 no. Local Areas of Play (LAP) and 5 no. Door Step LAP's.

Healthcare Proposal

7.3.16 The CCG has looked at the overall size of the plot required to develop a new health centre and the site area identified is the maximum required. . The DAS sets design guidelines for the healthcare proposal which suggest a building of maximum 3 storeys providing up to 3000sqm of floorspace, set in well landscaped grounds. The following characteristics and features for the proposed healthcare redevelopment are highlighted.

- Location to the north of the site limits the impact upon buildings of heritage importance and assists with integration into the local community.
- Independent access from Suttons Lane.
- The provision of a minimum 15m deep landscape buffer to Suttons Lane as part of the linear park.
- A secure perimeter to the site (the linear park would be outside this) softened by perimeter hedges and the retention of existing trees, hedges and buffer landscaping.
- A maximum 3 storey development with active facades facing south towards the proposed residential development and to Suttons Lane.

Overall

7.3.17 The DAS section on Design Guidelines establishes and emphasises a number of key principles which are reflected in the illustrative masterplan and the nature of the public realm to be created, rather than dictating matters of detail and building design. Taken together with the parameter plans and illustrative masterplan the design guidelines provide a cogent framework for the submission of future reserved matters applications without prescribing a final design solution. In order to ensure that subsequent reserved matters applications pay proper regard to these documents suitable conditions are proposed.

7.3.18 There are areas where special care, treatments and restrictions will be required in order to safeguard the open appearance of the site, particularly on the residential site. These will be important considerations for the subsequent submission of reserved matters applications where details of design and materials are determined. Conditions are suggested to

address and focus attention on matters such as materials, tree and landscape retention and new landscaping together with conditions to restrict permitted development rights for front garden fencing and walls, the creation of front garden hard standings, porches and loft conversions, all of which might otherwise collectively impact adversely upon the open character of the site and the Green Belt.

Amenity Space

- 7.3.19 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single useable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be the quality and usability. All dwellings should have access to amenity space which is not overlooked from the public realm.
- 7.3.20 The illustrative masterplan shows three key types of amenity area: traditional gardens with a depth generally of 10m or greater; shared communal courtyards for the retained and converted quadrangular blocks; semi-private terraces and balconies for other retained buildings and new apartment blocks. All of these amenity spaces have proved from experience to be functional and to provide adequate private and semi private amenity space in other developments and are considered to be acceptable in this instance. Furthermore, such space would be supplemented by the open space and play areas within the development and the adjacent Hornchurch Country Park.
- 7.3.21 Looking at how the design concepts are interpreted within the application, staff are satisfied that the proposed development would offer an attractive and desirable place to live in terms of design, layout and residential quality.

Landscaping

- 7.3.22 There are a suite of policies and documents within Havering's LDF and supporting Supplementary Planning Documents (SPD) which collectively provide guidance and requirements related to the conservation and enhancement of landscape character in the Borough.
- 7.3.23 Policy DC61 requires that new development must harness the topographical and ecological character of the site, including the retention of existing trees and landscape.
- 7.3.24 Policy DC21 requires major new residential development to include provision for adequate open space, recreation and leisure facilities.
- 7.3.25 Policy DC20 sets standards for the provision of public open space and children's play space which is also covered by Policy 3.6 of the London

Plan supplemented by the Mayor's "Shaping Neighbourhoods: Play and Recreation SPG (2012).

- 7.3.26 The Landscape Strategy outlined within the DAS identifies that maintaining and enhancing the existing open space and planting on both sites will be the key to a site wide approach to a landscape design which respects the existing mature landscape setting of the site. The Zone Uses & Access and Strategic Open Space parameter plans establish the location and function of the different types of open space proposed for the whole site which include swales, buffer land, a village green, linear park and open space around retained buildings. Aspects such as the removal of the existing boundary railings and fences will serve to open up views and public access to the site which will make a notable positive impact on the visual openness of the site. This will be of particular note along the frontage of the site where a 15m wide linear park would be created.
- 7.3.27 Much emphasis has been placed upon the retention of existing trees and vegetation. An Arboricultural Impact Assessment accompanied the application which identified and classified every tree on the site according to its health and amenity value. The site contains 141 existing trees and the masterplan layout seeks to retain 95 of these. It is proposed that the loss of 46 trees overall, 30 of which are classified as being in poor health, would be balanced by the planting of 100 new trees throughout the site. The trees on the site have been made the subject of an Area Tree Preservation Order and staff are satisfied that the approach to tree retention and planting is acceptable and can be properly controlled through the use of appropriate conditions.
- 7.3.28 The strategy for play space has been developed in line with the Mayor's "Shaping Neighbourhoods: Play and Recreation" SPG (2012) and indicates the provision of one Local Equipped Area of Play (LEAP), 3 no. Local Areas of Play (LAP), 5 no. Door Step LAPs and a Youth Space. Together with enhanced links to the adjacent Hornchurch Country Park plus private and communal garden areas staff are satisfied that the requirement has been adequately addressed.

7.4 **Heritage Issues**

- 7.4.1 Policy DC67 provides guidance on dealing with applications which impact upon Listed Buildings and other buildings of heritage interest and states that account will be taken of their contribution to heritage.
- 7.4.2 Policy 7.8 of the London Plan recognises the importance of heritage assets and requires that development affecting such assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
- 7.4.3 The NPPF reinforces these messages confirming at para 135 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that

a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. NPPG adds to this at para 041 by suggesting, in the case of buildings, that their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.

- 7.4.4 St George's Hospital has been identified as a building of local heritage interest and is therefore classified as a non-designated heritage asset. The judgement to be made is whether the scale of loss and the extent of harm proposed is acceptable in relation to the significance of the heritage asset that St Georges Hospital represents.
- 7.4.5 The applications are supported by a Historical Background report and a Heritage Assessment. The former provides a narrative of the development of St Georges Hospital its buildings and surroundings, from its inception as Suttons Institute in 1938: the close association with RAF Hornchurch through to the modern day and its closure in 2012. It goes on to evaluate the group value of the site, followed by a building by building assessment which identifies those of greater significance both architecturally and historically. This concludes that the buildings of the greatest interest are concentrated towards Suttons Lane. The Heritage Assessment looks at the significance of the buildings as a heritage asset and the impact in terms of significance of the proposed demolition of 13 of the 19 buildings on the site.
- 7.4.6 The scheme proposes the retention and re-use of 4 of the six most important buildings on the site, plus three others, all of which offer the opportunity for viable residential conversion. The choice of these buildings is based largely upon their visual prominence and the role they would play in maintaining the visual identity of the site when viewed from Suttons Lane. The existing rectilinear "street" pattern of the site is also retained as a template for the layout of the new development.
- 7.4.7 Whilst there will be considerable changes to the character of the site and the setting of the retained buildings as a result of the redevelopment, staff are satisfied that the choice of the buildings to be retained is soundly based and justified. Moreover, the final form of development as proposed based upon the existing rectilinear layout, maximum retention of existing trees and enhancement of landscaping and the emphasis on improving vistas through the site to the Ingrebourne Valley, demonstrate compliance with the relevant policies and guidance. However, the loss of the identified buildings is considered to be the maximum permissible for the proposals to still be considered in accordance with the NPPF. A condition is therefore suggested to reinforce this and to require that none of the buildings identified for retention may be demolished.

7.5 **Impact on Amenity**

- 7.5.1 The closest existing residential properties to the site are those in Suttons Lane (No's 62 to 154) on the western side of the road and No. 111

Suttons Lane and No's 2 to 86 Hacton Drive to the north. With the exception of the gatehouse and its proposed mirror image new dwelling, both of which will be 25m from the properties opposite in Suttons Lane, neither the proposed residential or healthcare development, will be closer than 50m from the front of these properties, in line with the existing buildings on the site. Apart from in 3 locations where the potential for 4-storey development is identified the development would be no higher than 3 storeys. Separated from these properties by Suttons Lane, front gardens and the proposed linear park staff consider that the developments proposed would be consistent with the existing character and pattern of development locally and that no material harm to residential amenity will arise from the buildings by way of their proximity or height.

- 7.5.2 In relation to the properties in Hacton Drive the illustrative master plan indicates that any residential plot would back onto the boundary with a minimum separation of 35m between the rear of any new and existing dwelling. In relation to the healthcare development the minimum separation increases to 50m. Similarly, staff do not consider that any adverse impact upon residential amenity will result from this relationship.

7.6 **Transportation, Highways and Parking**

- 7.6.1 The application is accompanied by a Transport Assessment (TA) which concludes, based upon the current vacant nature of the site, that there will be an increase in traffic generation over existing conditions but that this will be within the capacity of the local highway network. It also finds that in the event that the use of the site were to revert to its previous lawful use, that such use would generate more traffic than that currently predicted by the proposed residential and healthcare developments.

- 7.6.2 Further information has been supplied to demonstrate that the impact upon local junctions which show that the potential difference to queuing at junctions would fall within the expectation of traffic flow variation and as such would not be perceptible to casual users of the affected junctions. Information requested by Transport for London relating to the impact upon bus services and whether a need would arise for further services has also been supplied, and concluded that any impact could be absorbed within the existing services.

Residential Proposal

- 7.6.3 The residential development will use the two existing access points to the site whilst the healthcare development will require a new access onto Suttons Lane. Following discussions with Highways staff the applicants have advised that the originally indicated widening of Suttons Lane and provision of ghosted right turns no longer forms part of the proposals. No objection is raised to this. The existing junctions to the site have functioned quite adequately and safely in the past. Elsewhere along Suttons Lane similar junctions serving residential areas of equal or larger capacity also continue to function without any significant highway safety

problem. Suitable conditions are proposed to ensure that schemes for the design of the junctions are submitted.

- 7.6.4 The proposals provides for 490 residential parking spaces across the scheme which equates to 1.7 spaces per unit. TfL is concerned that this level of parking is too high and likely to be out of accordance with the London Plan.
- 7.6.5 London Plan parking standards are set out in table 6.2 of Policy 6.13, which gives maximum parking standards of 2 - 1.5 spaces for 4 bed units, 1.5-1 spaces for 3 bed units and less than 1 space for 1-2 bed units. It is however noted that the policy is intended to take a flexible approach to parking so that provision should also reflect the density of the development and the PTAL (public transport accessibility level) with lower levels expected where the PTAL levels is high and/or where densities are higher particularly in central locations. As a result of the site's size and depth the PTAL varies across the site varying from 3 to 1b meaning that the site has moderate to poor access. The location of the site is suburban and the density low.
- 7.6.6 In terms of the LDF, Policy DC2 would anticipate residential development on this site providing parking at a standard of 2-1.5 spaces per unit. Having regard to the location of the site, although there are opportunities for walking, cycling and use of public transport locally, it is considered that demand for parking at the site is likely to be high, particularly in view of the mix and number of dwellings compared to flats within the development. There is concern regarding the potential increased demand for on street parking and resultant congestion if insufficient parking were provided within the development. Furthermore, unregulated on street parking would have an adverse effect upon the character of the site and the open nature of the Green Belt. On this basis it is considered that a parking level as proposed at 1.7 spaces per unit overall would create less pressure for on street parking to the benefit of the character of the development. Such a level would be in accordance with Policy DC2 and no objections are raised.

Healthcare Proposal

- 7.6.7 Car parking for the healthcare development at 50 spaces is indicative as the nature of the facilities to be provided are at this stage of development are uncertain. However, there is sufficient room on the site for parking to be provided to LDF standards and an appropriate condition is suggested.
- 7.6.8 The TA indicates that parking for disabled drivers will be made available in appropriate locations. Where associated with wheelchair units such spaces should be conveniently located for the main entrance and at least 5% of visitor spaces should be designated for blue badge holders. This can be secured through condition.

7.6.9 The London Plan requires that a minimum of 20% of parking spaces will be fitted with active provision of electric vehicle charging points and up to a total of 40% of the spaces will be provided with the passive provision of electric vehicle charging points. This too can be secured through conditions on both applications.

7.6.10 London Plan Policy 6.9 Table 6.3 sets out the Mayor's current adopted levels of cycle parking which for residential development requires all studio and 1 bed units to be provided with a minimum of 1 cycle storage place and all 2+ bed units to be provided with a minimum of 2 spaces, and for a health centre, 1 space per 5 staff (long stay) and 1 space per 3 staff (short stay). The applications propose the level of cycle parking provision for the residential at a minimum of 1 space per dwelling and in accordance with LDF standards for the healthcare development (1 per 50 staff plus 1 per 5 staff for visitors). As both applications are in outline there is no reason why the London Plan standards cannot be achieved and appropriate conditions are suggested.

7.7 **Housing**

7.7.1 In terms of housing mix the residential redevelopment provides up to 290 dwellings consisting of up to 160 houses and 130 flats, which is a 55/45 split. The mix of dwelling sizes has not yet been finalised, but the indicative proposals and breakdown demonstrate that the development would comprise a range of units including 1 to 3 bedroom flats and 2 to 5 bedroom houses, with the largest proportion being 2 and 3 bed units, but with 47% of all units being 3 bed plus units. Whilst it is recognised that an ideal mix would deliver a higher proportion of 3 bed+ family units, the nature of the development is skewed by the proportion of the development that would be delivered by the conversion of the retained heritage buildings. It is therefore considered that the residential proposal satisfies in principle Policy 3.8 of the London Plan.

7.7.2 Policy DC6 of the LDF states that the Council will aim to achieve 50% of all new homes as affordable and will seek a tenure split of 70:30 between social housing and intermediate forms. This policy reflects the targets for the provision of affordable housing which were set out in Policy 3A of the superseded London Plan. The current London Plan seeks a tenure split of 60:40 and requires the amount of affordable housing provision to be determined strategically at local level. The Council's current Housing Strategy 2014-17, moves from a 60:40 tenure split to 50:50 in year 3 of the strategy (16/17) which is the earliest that any delivery of affordable housing from the redevelopment could be anticipated and it is on this basis that staff recommend any affordable housing would be provided.

7.7.3 The application when submitted offered 10% affordable housing on the basis of guidance current at the time the application was made which had introduced Vacant Building Credit (VBC) as a means of encouraging housing development on previously developed "brownfield" sites. The application of VBC to the St Georges site resulted in an offer of 10%

affordable housing as a policy compliant position. However, as a result of a more recent High Court decision the ministerial statement which led to the introduction of VBC has been ruled unlawful and can no longer be used to determine the quantum of affordable housing a scheme should deliver.

7.7.4 Policy recognises that the proportion of affordable housing that can be delivered can be affected by a number of factors including viability. Consequently, as a result of the High Court decision the applicant was obliged to carry out a Viability Assessment in order to determine the amount of affordable housing that the scheme could afford to deliver. Following an independent review of this on behalf of the Council and resultant negotiations with the applicant a revised offer of 15% affordable housing is now proposed.

7.7.5 Staff are satisfied that there are likely to be some additional costs associated with developing the site, including demolition, the removal of underground services and asbestos, together with the retention and conversion works which are known to be more expensive than new build. Accordingly it is considered that the 15% offer represents the maximum amount of affordable housing that can reasonably be achieved on the site. This is further supported in the context of the land being NHS estate and the recycling of funds raised from the land sale, albeit indirectly, back into health service facilities.

7.7.6 As a potential alternative to all of the affordable housing being provided on site it is suggested that the terms of the S106 should also allow for the possibility of a commuted sum being provided for the off-site provision of social rented housing. Such proviso would be on the basis that the overall provision of affordable housing that this would enable would be greater than 15% on offer and that it would also allow for off-site provision that may better suit the Council's requirements for meeting the particular characteristics of its housing need.

7.8 **Environmental Issues**

Flood Risk and Drainage

7.8.1 The site lies on the eastern side of the Ingrebourne Valley which the Environment Agency have confirmed is located in Flood Zone 1 and so is at minimal risk of flooding and suitable for both residential and healthcare use. The main focus of the Flood Risk Assessment is therefore to provide a suitable scheme for attenuating surface water within the site to ensure allowable discharge rates from the site achieved.

7.8.2 The site lies on London Clay bedrock so infiltration SuDS measures cannot be used. For the healthcare facility a surface water management strategy based upon the provision of surface water attenuation features discharging via an existing outfall is proposed. This would be either in the form of underground modular storage or an attenuation pond.

- 7.8.3 A variety of SuDS measures are identified for the surface water management on the residential area comprising a combination of source control SuDS (green roofs, permeable paving, rainwater harvesting), swales and attenuation basins, which could be designed to be sympathetic and complementary to the existing ecology of the site. The final strategy for management is to be confirmed as part of future reserved matters applications but is likely to fall within the remit of a future private management company.
- 7.8.4 The overall surface water management system would be designed to accommodate runoff for events up to the 1 in 100 years event (plus a 30% allowance for climate change) with runoff rates restricted to 3 times the greenfield runoff rate.
- 7.8.5 The Environment Agency (EA) has confirmed that it has no objection to the proposals subject to a detailed surface water drainage scheme being agreed which should be based upon the strategies outline in the submitted FRA. The EA also requested a condition requiring that surface water pollution prevention and treatment measures be agreed and installed. Such a condition would also address the objections raised by Natural England which are concerned with potential damage that polluted runoff and discharge to the River Ingrebourne might cause to the Ingrebourne Marshes SSSI.
- 7.8.6 It is considered that subject to these conditions the development would accord with LDF Policy DC48 as well as Policies 5.12 and 5.13 of the London Plan and the NPPF. It should be noted that Natural England's Objection had not at the time of writing been lifted and that they would need to be given 21 days notice of any intention to grant permission.

Ecology and Biodiversity

- 7.8.7 The site includes substantial areas of open grassland as well as many mature trees and other potential habitats. The Ingrebourne Valley lies to the immediate south east of the site together with the Hornchurch Country Park which also lies adjacent to and further to the south of the site. Both are identified as sites of Metropolitan Importance for Nature Conservation. The Ingrebourne Marshes SSSI is located approximately 0.6km south of the site.
- 7.8.8 A Baseline Ecological Appraisal has been undertaken based on the results of an Extended Phase 1 Habitat Survey of the site, desk based studies and species surveys for Badgers, Great Crested Newts and Bats as well as general faunal activity observed during the course of survey work. Following from the recommendations of the Extended Phase I Survey Phase 2 ecological surveys were undertaken including a bat scoping survey and a reptile presence/absence survey.
- 7.8.9 In terms of impact upon habitat, by basing the masterplan layout upon the existing rectilinear layout with landscaped corridors, staff are satisfied that

the impact upon ecology and biodiversity would be minimised, and wherever possible enhanced, for example by a reduction in the amount of hard standing and the creation of a central open space in the same location as the most significant area of existing open space on the site. .

- 7.8.10 Positive and preventative measures are proposed to address areas of concern in relation to bats, reptiles and birds such as the retention and provision of roost opportunities, provision of specialist bird boxes aimed at the existing known breeding avian population, plus full surveys of particular habitats and protected species. These matters can all be safeguarded by the use of appropriate conditions.
- 7.8.11 At the time of writing the report the objection from Natural England had not been removed, and the request for an assessment of the recreational impact of the development upon the SSSI has been reiterated. Staff consider that it would be difficult to estimate and evidence what the impact of the proposals upon the SSSI would be as it is partially located within Hornchurch Country Park which is well used by a far larger population already than that which is proposed. Furthermore, informal recreational use of and access to the countryside is encouraged and the Council is keen to promote the positive and beneficial use of Hornchurch Country Park. Finally, staff do not agree that there is any significant threat posed by additional cat predation as the development is over 0.5km away from the closest point of the SSSI.

Archaeology

- 7.8.12 An Archaeological Desk Based Assessment has been submitted with the application which has identified the presence of prehistoric settlement sites and features across the sites. It is also noted that many of the existing buildings on the site are in themselves of historic, if not archaeological interest and that provision should be made for a programme of Historic Building Recording should be carried out.
- 7.8.13 Historic England (GLAAS) advise that the proposals would either affect a heritage asset of archaeological interest or lies in an area where such assets are expected. The advice is that there is a need for field evaluation to determine the appropriate mitigation. A condition is requested requiring a two stage process or archaeological investigation to evaluate and clarify the nature and extent of surviving remains, followed, if necessary by a full investigation. Staff consider that subject to such a condition the development would be acceptable in principle and would comply with Policy 7.8 of the London Plan and Policy DC70 of the LDF.

Sustainability and Renewable Energy

- 7.8.14 A sustainability statement and an energy statement have been submitted with the application. In line with the requirements of the London Plan and Policies DC49 and DC50, the proposal is required to meet high standards of sustainable design and construction, as well as to demonstrate a

reduction in predicted carbon dioxide emissions by at least 35% against Part L 2013.

- 7.8.15 The submitted documents were written before the Code for Sustainable Homes was scrapped but had adopted the standard of achieving Level 4 CfSH for the residential development and BREEAM (which still exists) “very good” for the healthcare centre. Sustainable design principles have been integrated into the scheme to address resource management (design standards, energy efficiency, demand reduction, water saving, choice of materials), Adaptation to Climate Change and Greening the City (passive heating and cooling, SuDS, controlled runoff rate, green infrastructure) and Pollution Management (air quality neutral design, best practice during construction, external lighting to minimise glare). Carbon Dioxide reduction would be achieved by a combination of improved insulation, high efficiency gas condensing boilers and solar control measures, supplemented by photovoltaics. The potential for CHP to be used will be reviewed at reserved matters stage.
- 7.8.16 The healthcare facility would promote the use of sustainable modes of transport for both staff and patients and is reasonably well located in terms of public transport accessibility to achieve this. A draft Framework Travel Plan has been submitted which would be suitable, with amendments, for both the residential and healthcare proposals, and would be required by condition should Members agree with the recommendation.
- 7.8.17 Staff are satisfied that the proposals will be in accordance with the relevant LDF and London Plan energy and sustainability policies and a number of conditions relating to these matters are suggested for both proposals.

Contaminated Land

- 7.8.18 A Phase 1 desktop study and a Phase II report following intrusive site investigation were submitted with the application. It concludes that there are some limited areas where areas of contamination will need to be remediated and areas of elevated Carbon dioxide in the soil which might require the use of gas membranes in the foundations and floor slabs as well advising that an asbestos survey be carried out. Staff therefore consider the proposals accord in principle with LDF Policy DC53 and Policy 5.21 of the London Plan and conditions can be imposed on both applications to ensure the necessary remediation schemes and further survey and validation reports are undertaken and submitted.

7.9 Other Matters

- 7.9.1 Public Footpath 271 abuts the southern boundary of the site providing a route from Suttons Lane across the Ingrebourne Valley to Hacton Lane. The DAS and parameter plans indicate a connection to this from the north/south swale garden which is encouraged. Concern has been voiced about the potential for any other indicated routes over land beyond the site

boundary in 3rd party ownership encouraging unauthorised access and increasing pressure for further development. Members will note this concern, but can be reassured that any such access would need to be negotiated with other owners and that the conditions that would be attached to any permission would make it clear that the extent of the current applications are the maximum permissible on the site for the development to be considered in accordance with current Green Belt policy and guidance.

7.9.2 Secure by Design is a material planning consideration and would be covered by condition and is more appropriately considered at reserved matters stage.

7.9.3 In relation to objections raised, where these raise planning issues they have been addressed throughout the report. To summarise:

Residential

Pressure on Local Services – Addressed by S106 requirement for education payment. Sale of the site will provide funds to the NHS.

Increased Traffic etc – Road widening no longer proposed, traffic no greater than would be the case if the site reverted to its lawful use. No highway objections.

Pollution – Air quality and Construction Management conditions.

Parking problems – Proposed parking provision considered acceptable.

Fear of greater development – Controlled via parameter and maxima conditions.

Height and Density – See paras 7.2.9, 7.2.10 and 7.3.9

Suitability for housing and no affordable housing – See section 7.1. Affordable housing is a policy requirement.

Future maintenance of Landscaping – S106 requirement

Retirement Village – Not the subject of this application.

Healthcare

Privacy and Amenity – See section 7.5

Details not provided – Outline application, details not required.

Additional traffic - Traffic no greater than would be the case if the site reverted to its lawful use. No highway objections.

General

Quality of pre-app consultation – Opinion. Staff satisfied and Statement of Community Involvement submitted

Pre-school nursery – Not the subject of application

7.10 **Infrastructure Impact and Planning Obligations**

7.10.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a

reason for granting planning permission for the development if the obligation is:

- (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.

- 7.10.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 7.10.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 7.10.4 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 7.10.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 7.10.6 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. In this instance, given the juxtaposition of the site to Hornchurch Country Park it is also considered that a contribution towards improvements to the park would satisfy the tests set out at para 7.10.1 although the principle

use of the overall contributions would remain for educational purposes. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.

- 7.10.7 Separate monitoring of contributions would be required to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6000 per dwelling to be used for educational purposes, together with improvements to Hornchurch Country Park and to cycle storage facilities at Hornchurch Station would be appropriate.

8. Conclusions

- 8.1 The proposals are for the outline redevelopment of the St Georges Hospital site to provide up to 290 dwellings and a 3,000sqm healthcare centre with all matters reserved except for access.
- 8.2 The site is located within the Green Belt and currently vacant and having been declared surplus to NHS requirements with the land not identified for healthcare purposes to be marketed if planning permission is granted. The receipt from any sale would be reinvested in the NHS.
- 8.3 A set of guidelines, parameters and an indicative masterplan have been developed to guide the future submission of reserved matters applications and to demonstrate that the site can be redeveloped in accordance with current guidance. This requires that any such redevelopment should not have any greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 8.4 Staff are satisfied that subject to strict controls relating to the extent of demolition, retention of specified buildings, the development envelope and height and other design requirements that the proposals meet the necessary tests.
- 8.5 Staff are satisfied that, in principle, the site can accommodate up to the maximum quantum of development proposed, whilst providing a development of suitably high quality and impact on local character and the Green Belt. However, there are elements within the illustrative masterplan and parameter plans which are dependent on the particular design solutions proposed and conditions are suggested to ensure that any reserved matters applications adhere to these.
- 8.6 The overall design principles of the development are acceptable, including the provision of accesses from Suttons Lane, the landscaping, connectivity and open space strategies. It will need to be demonstrated how these will be carried through to the detailed design phase of any proposed development.

- 8.7 The residential development will provide 15% affordable housing with a 50/50 split between social rent and intermediate housing, with provision for a commuted sum for the provision of social rented accommodation off site should this achieve a higher level of affordable housing and better meet the Council's housing needs. Financial contributions towards the provision of additional school places, for improvements to Hornchurch Country Park and cycle facilities at Hornchurch Station would be secured through a S106 agreement related to the residential proposal.
- 8.8 The proposal is considered to be acceptable in respect of all other material issues, including parking and highway issues, impact on amenity and environmental effects.
- 8.9 Subject to planning conditions, the requirement for a S106 agreement related to P0321.15, and no contrary direction from the Mayor for London, Staff consider both proposals to be acceptable and recommend that planning permission be granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

A Section 106 planning obligation is required to make the residential application acceptable. The agreement will include the payment of the Council's legal expenses involved in drafting the S106 agreement.

Legal Implications and risks:

Legal resources will be required for the completion of a legal agreement

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to equality and diversity. The residential development would include a mix of unit types, and would be conditioned to ensure the inclusion of units that provide for wheelchair adaptable housing, and units which are designed to nationally described standards. The development also includes the provision affordable housing, thus contributing to the provision of mixed and balanced communities. The healthcare development would incorporate all necessary facilities to ensure equality of access and is well located to serve all of the local community.

BACKGROUND PAPERS

None

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APPENDIX 1 - P0321.15

SCHEDULE OF PLANNING CONDITIONS

1. **Outline - Reserved Matters to be Submitted**

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. **Outline – Time limit for submission of details**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. **Complete Accordance with Plans**

All works for each part or phase of development shall be carried out in full accordance with the approved plans, drawings, particulars and specifications and any other plans drawings particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority,

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 or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. **Phasing**

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. **Reserved Matters Details for Each Phase**

Any application for reserved matters submitted that only covers part of the site shall be accompanied by details of the remaining site covered by this outline permission showing the number and type of dwellings and associated parking spaces already granted reserved matters and illustrative details of the number and type of dwellings and parking spaces in those parts of site not covered by reserved matters approval, demonstrating that the development would not exceed a total of 290 dwelling units across the site and achieve an average of 1.7 parking spaces per dwelling.

Reason: Given the Green Belt location of the site it is important to ensure that the development is not deviating in any significant way from the plans, parameters and other documents that form the basis for the consideration of the scheme.

7. **Accordance with Development 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 parameter plans

Drawing No Revision Drawing Title

TP 104	03	Zone Uses and Access –
TP 105	02	Density Strategy
TP 106	03	Development Heights
TP 107	01	Cycle/Pedestrian/Vehicular Movement
TP 109	01	Demolition Plan
TP 111	A	Play Space Strategy

and corresponding strategies within the Design and Access Statement and all other documents which form part of this permission. No application for approval of reserved matters, (or other matters submitted for approval pursuant to the planning conditions), which would entail any material deviation from the parameters plans and all other documents which form part of this permission, shall be made unless otherwise provided for by conditions elsewhere within this permission (for the avoidance of doubt density shall not exceed that shown on TP 106 Rev 01)

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

8. **Number of Residential Units**

The number of residential units in the development hereby permitted shall not exceed 290 dwellings.

Reason: To comply with requirements to provide details of the number of residential dwellings proposed.

9. **Footprint and Floorspace**

The total footprint of the proposed development shall not exceed 14,500 sqm.

Reason: To comply with the requirements of the NPPF and to ensure accordance with Policy DC46 of the Development Control Policies Development Plan Document.

10. **Space Standards**

All dwellings within the development shall comply with the Nationally Described Space Standard for the relevant size of unit.

Reason: Insufficient information has been supplied with the application to assess whether these standards would be met. Compliance will ensure that all units are of adequate size for modern day living requirements.

11. **Housing Mix**

The housing mix for the overall development hereby approved shall not deviate by more than 10% from the Illustrative Mix set out in Section 4.7 of the Design and Access Statement and should therefore fall within the following range.

1 bed apartments	(34 to 42 units)
2 bed apartments	(74 to 90 units)
3 bed apartments	(9 to 11 units)
2 bed houses	(32 to 38 units)
3 bed houses	(67 to 81 units)
4 bed houses	(36 to 44 units)
5 bed houses	(10 to 12 units) #

Reason; To ensure that the final housing mix does not differ significantly from parameters and other documents that form the basis for the consideration of the scheme.

12. **Details of 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 for that particular phase have been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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.

13. **Boundary Treatment**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) details of the boundary treatment proposed to that phase of the development, including where appropriate, screen fencing and walling (adjacent to highways) shall be 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 and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment.

Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

14. **Lighting**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme for the lighting of all external areas of the site or phase, including pedestrian routes within and at the entrances to that phase of the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details to show that consideration has been given to nature conservation interests as well as highway safety and public amenity. The agreed scheme shall be installed in full for the site or phase, prior to the first dwelling of that phase being occupied. With the exception of any areas that have become adopted highway, the lighting scheme shall be retained and kept fully operational at all times.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external lighting to be used. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

15. **Landscaping**

No phase of development (as identified in accordance with condition 4) shall commence until a scheme of soft and hard landscaping and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and shrubs on the site, and details of any to be retained, and any proposed topping or lopping, together with measures for their 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 for the development or relevant phase thereof 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: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

16. **Landscape Management Plan**

Before the first residential occupation of any dwelling within any phase of development (as identified in accordance with condition 4) a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than privately owned domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan approved shall be carried out to the approved timescale and adhered to thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how the natural features and character of the area and new landscaping are to be managed and maintained in the long term. Submission of a management plan will ensure that the measures to be employed are robust.

17. **Public Open Space Design**

No phase of development (as identified in accordance with condition 4) shall commence until a scheme of landscaping and boundary treatment for the area or areas identified for use as public open space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of perimeter fencing, gates and base for maintenance vehicles. The approved scheme shall be implemented in the first available planting season following completion of the development or relevant phase thereof and permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the landscape design of any public open space and the play equipment to be installed. Submission of a scheme will ensure that the design and equipment are scrutinised prior to installation and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

18. **Protection of Preserved Trees**

No building, engineering operations or other development on the site or any phase of development (as identified in accordance with

condition 4) shall commence 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 at the commencement of development or each phase thereof and kept in place until that phase of the approved development or the development (as appropriate) is completed to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

19. **Obscure Glazing**

A scheme for obscure glazing of appropriate windows shall be submitted with the detailed plans for the development or each and every phase of the development hereby permitted as appropriate, to be agreed in writing by the Local Planning Authority prior to the commencement of the development or the relevant phase. The obscure glazing shall be installed prior to the residential occupation of the relevant unit in accordance with the agreed scheme for the development or relevant phase thereof and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how potential issues of overlooking would be addressed. Submission of these details will ensure that undue overlooking of neighbouring property is avoided and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

20. **Design Statement**

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 57 of the NPPF and reflects the Design approach and guidelines set out in Sections 4 and 6 of the Design and Access Statement Rev 06.

Reason: To ensure the on-going provision of high quality design, and in order that the development accords with Development Control Policies Development Plan Document policy DC61 and Policy 3.5 of the London Plan.

21. **Access Statement**

No works shall take place in relation to any phase of the development (as identified in accordance with condition 4) until an access statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that all parts of the development, including the car parks and all external public areas, have been designed to be accessible for all, including people with disabilities. Such details shall include;

- a) How the layouts, including entrances, internal and external circulation spaces, car parking areas, 10% of residential accommodation, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties and visual impairments.

Such provision to make the relevant phase of the development fully accessible shall be carried out in accordance with the approved details and made available before each phase of the development is first occupied and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of a statement qualifying how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and ensure that the development with the Council's policies and practice for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

22. **Wheelchair Accessibility and Adaptable Homes**

At least 10% of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the dwellings hereby approved (excluding upper floor flats within the retained buildings) shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

Reason: To ensure that the residential development meets the needs of all potential occupiers in order to comply with Policy DC7 of the LDF and Policy 3.8 of the London Plan.

23. **Sustainability and Energy Statement**

Any application for reserved matters in relation to any phase of the development (as identified in accordance with condition 4) shall be accompanied by a Sustainability and Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development of the relevant phase. The statement shall provide full details of how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in London Plan Policy 5.3. The relevant phase of the development shall thereafter be carried out in full accordance with the agreed Sustainability and Energy Statement. Within 3 months of the completion of the relevant phase, final copies of the Energy Performance Certificate (EPC) and Microgeneration Certification Scheme (MCS) should be submitted to the Local Planning Authority.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

24. **Car Parking**

Any application for reserved matters in relation to any phase of the development (as identified in accordance with condition 4) shall be accompanied by a plan showing provision of parking spaces for that phase to be agreed in writing with the Local Planning Authority. This shall include car parking spaces for people with disabilities at a ratio of not less than 4% of overall provision with such spaces located as close as possible to wheelchair accessible units where these are proposed. It shall also give an indication of visitor parking spaces. Thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available within the development in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33.

25. **Car Parking Reservation**

No residential unit with allocated parking, including for the avoidance of doubt, flats, hereby allowed shall be occupied unless the area set aside for car parking associated with that unit, including garages, has been laid out and surfaced to the satisfaction of the Local Planning Authority. Such areas or garages shall be retained permanently thereafter for the accommodation of residents and visitors vehicles and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33..

26. **Visibility Splays**

2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

27. **Cycle Storage**

No individual phase of 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 Table 6.3 of the London Plan. Such cycle parking shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

28. **Highway Improvement Works**

No phase of development (as identified in accordance with condition 4) shall commence until the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway has been entered into.

Reason: In the interests of ensuring good design and public safety and to ensure that the development accords with Development Control Policies Development Plan Document Policy CP10, CP17 and DC61.

29. **Electric Vehicle Charging Points**

No individual phase of development (as identified in accordance with condition 4) shall be occupied until provision has been made for 20% of the parking spaces within the development or relevant

phase thereof to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

Reason: Insufficient information has been supplied with the application to demonstrate what level of provision is to be made for electric vehicle charging points. Provision prior to occupation will ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with policy 6.13 of the London Plan.

30. **Fire Brigade Access**

No individual phase of development (as identified in accordance with condition 4) shall commence until a scheme or phased scheme for the provision of adequate access for fire brigade purposes has been submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority. First residential occupation of any phase of the development hereby approved shall not take place until the approved scheme for fire brigade access for the relevant phase of the development site has been implemented.

Reason: Insufficient information has been supplied with the application to demonstrate the nature of access for fire vehicles. Submission of a scheme will ensure that adequate access for fire brigade purposes is made available in the interests of safety.

31. **Detail of Fire Hydrants**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme detailing the location of fire hydrants in that phase shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any of the buildings within the relevant phase, such hydrants as required by the LFEPA for that phase of the development shall be provided in accordance with the LFEPA's requirements prior to the occupation of the relevant unit/s and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate the location of fire hydrants. Submission of a scheme will ensure that adequate provision is made for fire protection on the site.

32 **Freight Strategy**

No individual phase of development (as identified in accordance with condition 4) shall commence until a Delivery and Servicing Plan and a Construction Logistics Plan has been 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: Insufficient information has been supplied with the application to demonstrate what measures are to be taken to minimise the impact of the construction of the development on the environment or the road network. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with policy 6.14 of the London Plan.

33. **Travel Plan**

No individual phase of development (as identified in accordance with Condition 4) shall be occupied unless a Travel Plan for that phase has been submitted to and agreed in writing by the Local Planning Authority. The plan shall follow the principles set out in the Draft Framework Travel Plan, set out in Section 7 of the Transport Assessment and shall include measures to reduce private vehicular trips and proposals for monitoring progress, including a timetable for its implementation and review. The agreed Travel Plan shall remain on force permanently and implemented in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to ensure that Travel Plan measures would be implemented. The submission of a Travel Plan will help bring about a reduction in private car journeys and to minimise the potential for increased on street parking in the area

34. **Surface Water Drainage**

No individual phase of development (as identified in accordance with condition 4) shall commence until a detailed surface water drainage scheme for the site, based upon the agreed Flood Risk Assessment (FRA) 'St George's Hospital, Hornchurch, Flood Risk Assessment, Issue 2, Feb 2015 has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA and include swales, ponds and green roofs wherever feasible. The scheme for the relevant phase shall subsequently be implemented in accordance with the approved details before the development of that phase is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water drainage will be managed. Submission of a scheme prior to the commencement of

each phase will help to prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity and ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

35. **Foul and Surface Water Strategy**

No phase of development (as identified in accordance with condition 4) shall commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system from the new development until the drainage works referred to in the strategy have been completed in accordance with the approved strategy.

Reason: Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage will be managed. Submission of a strategy prior to the commencement of each phase will ensure that sewage flooding does not occur and that sufficient capacity is made available to cope with the new development in order to avoid adverse environmental impact upon the community and to ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

36. **Surface Water Pollution Prevention**

No phase of development (as identified in accordance with condition 4) shall commence until such time as a scheme to install appropriate surface water pollution and treatment measures has been submitted to, and approved in writing by, the Local Planning Authority. The scheme for the relevant phase shall subsequently be implemented in accordance with the approved details before the first occupation of any unit within that phase and shall be retained in good working order thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water pollution is to be prevented and treated. Submission and implementation of such a scheme will ensure that the water quality is improved and the ecological value of the River Ingrebourne and the Ingrebourne Marshes SSSI which surface water from the site drains to, are protected. This will ensure compliance with the Water Framework Directive, Section 28 of the Wildlife and Countryside Act 1981 (as amended) and that the development accords with Development Control Policies Development Plan Document Policies 51 and 58.

37. **Water Efficiency**

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations – Water Efficiency

Reason: In order to comply with Policy 5.15 of the London Plan

38. **Internal Noise**

The indoor ambient noise levels in the dwellings shall not exceed the guideline values in Table 4, BS8233:2014: Guidance on sound insulation and noise reduction in buildings.

Reason: To protect the internal amenity of residential occupiers

39. **Designing for Community Safety - Secured by Design)**

No phase of development (as identified in accordance with condition 4) shall commence until a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police NE Designing Out Crime Office, 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: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

40 **Air Quality Assessment**

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A full air quality assessment for the proposed development to assess the existing air quality in the study area (existing baseline)
- b) The air quality assessment shall include a prediction of future air quality without the development in place (future baseline).
- c) The air quality assessment shall predict air quality with the development in place (with development).

- d) The air quality assessment should also consider the following information:
- A description containing information relevant to the air quality assessment.
 - The policy context for the assessment- national, regional and local policies should be taken into account.
 - Description of the relevant air quality standards and objectives.
 - The basis for determining the significance of impacts.
 - Details of assessment methods.
 - Model verification.
 - Identification of sensitive locations.
 - Description of baseline conditions.
 - Assessment of impacts.
 - Description of the construction and demolition phase, impacts/ mitigation.
 - Mitigation measures.
 - Assessment of energy centres, stack heights and emissions.
 - Summary of the assessment of results.

For further guidance see the leaflets titled, 'EPUK Guidance Development Control: Planning for Air Quality (2010 update), EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: To protect public health, those engaged in construction and occupation of the development from potential effects of poor air quality.

41. **Refuse Storage and Segregation for Recycling**

No dwelling within any phase of development (as identified in accordance with condition 4) shall be occupied until, provision has been made for the storage of refuse / recycling awaiting collection in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

42. **Archaeological Investigation**

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

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before any phase of development (as identified in accordance with condition 4), other than demolition to existing ground level commences the applicant shall have secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing.

C) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (B).

D) No phase of development (as identified in accordance with condition 4) shall be occupied until the site investigation and post investigation assessment for the relevant phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document and the NPPF.

See Informative 9

43. **Species Surveys and Mitigation**

Prior to the commencement of any development, the demolition of any buildings on the site, or the removal of vegetation or trees, a further survey of the site including existing buildings, trees and vegetation, shall be carried out in accordance with a scheme, and at a time of year, to be agreed in writing by the Local Planning Authority in consultation with Natural England.

Such surveys shall be targeted at Bats, Reptiles and Dormice.

Demolition of the buildings, removal of trees or vegetation shall only commence following confirmation by the survey/s to the satisfaction of the Local Planning Authority of the absence of bats, reptiles of dormice or in the event that such species are found, the implementation of an agreed mitigation strategy and the obtaining of the necessary Licences for such work.

Reason: Insufficient information has been supplied with the application to judge the final impact of the development upon protected species which are or may be present on the site. The submission of further surveys will ensure that the proposals do not affect Protected Species and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

44. **Biodiversity Enhancement**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme for the biodiversity enhancement measures to be incorporated into the relevant phase of the development in line with those detailed in the approved documents and plans shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed scheme and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of biodiversity measures. Submission of a scheme for each phase of the development will ensure that opportunities for biodiversity enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

45. **Construction Environmental Management Plan**

No individual phase of development (as identified in accordance with condition 4) shall be commenced, including demolition, until a scheme for a Construction Environmental Management Plan to control the adverse impact of the overall development or any phase of the development on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan/s shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;

- c) storage of plant and materials, including stockpiles of crushed concrete;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary;
- f) Details of access points to the site and routes within the site for construction vehicles;
- g) The method of piling on site;
- h) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
- i) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the Local Planning Authority;
- j) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority; siting and design of temporary buildings;
- k) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- l) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development or the relevant phase thereof shall be carried out in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

46. **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 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 Development Control Policies Development Plan Document policy DC61.

47. **Wheel Washing**

No individual phase of development (as identified in accordance with condition 4) shall commence until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works.

The submitted scheme will provide the following details:

- a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.
- c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.
- g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

48. **Contamination Assessment (1)**

No individual phase of development (as identified in accordance with condition 4) shall be commenced (except works required to secure compliance with this condition) until the following Contaminated land reports are submitted to and approved in writing by the Local Planning Authority.

a) A Phase III (Remediation Strategy) Report as the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

b) Following completion of measures identified in the approved remediation scheme mentioned in (a) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of the above assessments prior to commencement will ensure the safety of future occupants and those engaged in construction of the development hereby permitted. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61

49. **Contamination Assessment (2)**

a) If, during development of any phase of the development hereby permitted, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating

that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

50. **Gas Protection Measures**

No individual phase of development (as identified in accordance with condition 4) shall commence until a scheme detailing the gas protection measures to be incorporated into the relevant phase of the development have been submitted to and approved in writing by the Local Planning Authority.

Following the completion of the approved gas protection measures a 'Verification Report' must be submitted demonstrating that the works have been carried out to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been submitted with the application to judge whether gas protection measures will be sufficient. Submission of the necessary details will protect future occupants and people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

51. **Inclusive Access and Wayfinding Strategy**

Any application for reserved matters in relation to an individual phase of development (as identified in accordance with condition 4) shall be accompanied by a statement and documentation to demonstrate compliance with a site wide inclusive Access and Wayfinding Strategy which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible and that the needs of all people accessing and travelling through the site will be addressed. Submission of an overall strategy and subsequent details will ensure that the development is designed, delivered and managed to a high standard of inclusive access and legibility of routes and that it reflects such high standards as they evolve during the construction phases of the development.

52. **Removal of Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order), no boundary walls or fences shall be constructed adjacent to the highway, unless specifically detailed within a reserved matters application, without the express permission in writing of the Local Planning Authority.

Reason:-In the interests of amenity and the openness of the Green Belt 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

PLANNING INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent at a meeting with the Greater London Authority case officer. The revisions involved changes to the perimeter blocks as requested by the GLA. The amendments were subsequently submitted on 21 July 2015.
3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. If new or amended access is required (whether temporary or

permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

5. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
7. In aiming to satisfy condition 35 Thames Water require that the foul water drainage strategy clearly identifies the current and proposed point(s) of connection into the public sewer system as well as current and proposed peak flow rates.
8. Essex and Suffolk Water require that all new water mains are laid in the highway and that a metered connection is made onto their network for each new dwelling.
9. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs
10. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
11. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
12. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law

protecting species, including obtaining and complying with the terms and conditions of any licence required.

APPENDIX 2 - P0323.15

SCHEDULE OF PLANNING CONDITIONS

1. **Outline - Reserved Matters to be Submitted**

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. **Outline – Time limit for submission of details**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. **Complete Accordance with Plans**

The development hereby permitted shall be carried out in full accordance with the approved plans, drawings, particulars and specifications and any other plans drawings particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority,

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 or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. **Accordance with Development 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 parameter plans

Drawing No Revision Drawing Title

TP 104	03	Zone Uses and Access –
TP 106	03	Development Heights
TP 107	01	Cycle/Pedestrian/Vehicular Movement
TP 109	02	Demolition Plan

and corresponding strategies within the Design and Access Statement and all other documents which form part of this permission. No application for approval of reserved matters, (or other matters submitted for approval pursuant to the planning conditions), which would entail any material deviation from the parameters plans and all other documents which form part of this permission, 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, parameters and other documents that form the basis for the consideration of the scheme.

5. **Footprint and Floorspace**

The total footprint of the proposed development shall not exceed 1,500 sqm and the total floorspace shall not exceed 3,000 sqm.

Reason: To comply with the requirements of the NPPF and to ensure accordance with Policy DC46 of the Development Control Policies Development Plan Document.

6. **Details of Materials**

No works shall take place in relation to any of the development hereby approved until samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas for that particular phase have been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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.

7. **Boundary Treatment**

Within three months of the commencement of development of details of the boundary treatment, including where appropriate, screen fencing and walling (adjacent to highways) shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied until boundary treatment has been provided in accordance with the approved details and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. **Lighting**

Within three months of the commencement of development of any scheme for the lighting of all external areas of the site including pedestrian routes within and at the entrances to the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details to show that consideration has been given to nature conservation interests as well as highway safety and public amenity. The agreed scheme shall be installed in full, prior to occupation. With the exception of any areas that have become adopted highway, the lighting scheme shall be retained and kept fully operational at all times.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external lighting to be used. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

9. **Landscaping**

No works shall take place in relation to any of the development hereby approved until a scheme of soft and hard landscaping and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and shrubs on the site, and details of any to be retained, and any proposed topping or

lopping, together with measures for their 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 for the development or relevant phase thereof 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: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

10. **Landscape Management Plan**

Before the development hereby approved is first occupied a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than privately owned domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan approved shall be carried out to the approved timescale and adhered to thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how the natural features and character of the area and new landscaping are to be managed and maintained in the long term. Submission of a management plan will ensure that the measures to be employed are robust.

11. **Protection of Preserved Trees**

No building, engineering operations or other development on the site shall commence 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 at the commencement of development or each phase thereof and kept in place until the

approved development or the development is completed to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

12. **Design Statement**

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 57 of the NPPF and reflects the Design approach and guidelines set out in Sections 5 and 6 of the Design and Access Statement Rev 06.

Reason: To ensure the ongoing provision of high quality design, and in order that the development accords with Development Control Policies Development Plan Document policy DC61 and Policy 3.5 of the London Plan.

13. **Access Statement**

No works shall take place in relation to the development hereby approved until an access statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that all parts of the development, including the car parks and all external public areas, have been designed to be accessible for all, including people with disabilities. Such details shall include;

- a) How the layouts, including entrances, internal and external circulation spaces, car parking areas, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties and visual impairments.

Such provision to make the development fully accessible shall be carried out in accordance with the approved details and made available before the development is first occupied and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of a statement qualifying how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and ensure that the development with the Council's policies and practice

for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

14. **Sustainability and Energy Statement**

Any application for reserved matters in relation to the development hereby approved shall be accompanied by a Sustainability and Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development. The statement shall provide full details of how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in London Plan Policy 5.3. The development shall thereafter be carried out in full accordance with the agreed Sustainability and Energy Statement. Within 3 months of the completion of the relevant phase, final copies of the Energy Performance Certificate (EPC) and Microgeneration Certification Scheme (MCS) should be submitted to the Local Planning Authority.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

15. **Car Parking**

Any application for reserved matters for the development hereby approved shall be accompanied by a plan showing provision of parking spaces to be agreed in writing with the Local Planning Authority. This shall include car parking spaces for people with disabilities at a ratio of not less than 6% of overall provision with such spaces located as close as possible to main entrance. Thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available within the development in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33.

16. **Visibility Splays**

2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians

at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

17. **Cycle Storage**

The development hereby approved shall not 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. Cycle parking shall be to the standards set out in Table 6.3 of the London Plan. Such cycle parking shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

18. **Highway Improvement Works**

No development shall commence until the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway has been entered into.

Reason: In the interests of ensuring good design and public safety and to ensure that the development accords with Development Control Policies Development Plan Document Policy CP10, CP17 and DC61.

19. **Electric Vehicle Charging Points**

The development hereby permitted shall not be occupied until provision has been made for 20% of the parking spaces within the development to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

Reason: Insufficient information has been supplied with the application to demonstrate what level of provision is to be made for electric vehicle charging points. Provision prior to occupation will ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with policy 6.13 of the London Plan.

20. **Fire Brigade Access**

The development hereby permitted shall not commence until a scheme for the provision of adequate access for fire brigade purposes has been submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority. First occupation of the

development hereby approved shall not take place until the approved scheme for fire brigade access for the relevant phase of the development site has been implemented.

Reason: Insufficient information has been supplied with the application to demonstrate the nature of access for fire vehicles. Submission of a scheme will ensure that adequate access for fire brigade purposes is made available in the interests of safety.

21. **Detail of Fire Hydrants**

Within three months of the commencement of the development hereby approved a scheme detailing the location of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation the development, such hydrants as required by the LFEPA shall be provided in accordance with the LFEPA's requirements prior to the first use of the premises and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate the location of fire hydrants. Submission of a scheme will ensure that adequate provision is made for fire protection on the site.

22 **Freight Strategy**

The development hereby permitted shall not commence until a Delivery and Servicing Plan and a Construction Logistics Plan has been 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 then be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to demonstrate what measures are to be taken to minimise the impact of the construction of the development on the environment or the road network. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with policy 6.14 of the London Plan.

23. **Travel Plan**

The development hereby permitted shall not be occupied until a Travel Plan for the development has been submitted to and agreed in writing by the Local Planning Authority. The plan shall follow the principles set out in the Draft Framework Travel Plan, set out in Section 7 of the Transport Assessment and shall include measures to reduce private vehicular trips and proposals for monitoring

progress, including a timetable for its implementation and review. The agreed Travel Plan shall remain on force permanently and implemented in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to ensure that Travel Plan measures would be implemented. The submission of a Travel Plan will help bring about a reduction in private car journeys and to minimise the potential for increased on street parking in the area

24. **Surface Water Drainage**

The development hereby permitted shall not commence until a detailed surface water drainage scheme for the site, based upon the agreed Flood Risk Assessment (FRA) 'St George's Hospital, Hornchurch, Flood Risk Assessment, Issue 2, Feb 2015 has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA and include swales, ponds and green roofs wherever feasible. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water drainage will be managed. Submission of a scheme prior to the commencement of each phase will help to prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity and ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

25. **Foul and Surface Water Strategy**

The development hereby permitted shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system from the new development until the drainage works referred to in the strategy have been completed in accordance with the approved strategy.

Reason: Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage will be managed. Submission of a strategy prior to the commencement of each phase will ensure that sewage flooding does not occur and that sufficient capacity is made available to cope with the new development in order to avoid adverse environmental impact upon the community and to ensure that the development accords with Development Control Policies Development Plan Document Policy

DC51.

26. **Surface Water Pollution Prevention**

The development hereby permitted shall not commence until such time as a scheme to install appropriate surface water pollution and treatment measures 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 first occupation of the development and shall be retained in good working order thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water pollution is to be prevented and treated. Submission and implementation of such a scheme will ensure that the water quality is improved and the ecological value of the River Ingrebourne and the Ingrebourne Marshes SSSI which surface water from the site drains to, are protected. . This will ensure compliance with the Water Framework Directive, Section 28 of the Wildlife and Countryside Act 1981 (as amended) and that the development accords with Development Control Policies Development Plan Document Policies 51 and 58.

27. **New Plant Noise**

No building shall be occupied or use commenced until a scheme for any new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive property shall not exceed LA90-10db. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

28. **Designing for Community Safety - Secured by Design)**

The development hereby permitted shall not commence until a full and detailed application for the Secured by Design award scheme has been submitted to the Local Planning Authority and the Metropolitan Police NE Designing Out Crime Office, 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 development shall be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

29.

Air Quality Assessment

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A full air quality assessment for the proposed development to assess the existing air quality in the study area (existing baseline)
- b) The air quality assessment shall include a prediction of future air quality without the development in place (future baseline).
- c) The air quality assessment shall predict air quality with the development in place (with development).
- d) The air quality assessment should also consider the following information:
 - A description containing information relevant to the air quality assessment.
 - The policy context for the assessment- national, regional and local policies should be taken into account.
 - Description of the relevant air quality standards and objectives.
 - The basis for determining the significance of impacts.
 - Details of assessment methods.
 - Model verification.
 - Identification of sensitive locations.
 - Description of baseline conditions.
 - Assessment of impacts.
 - Description of the construction and demolition phase, impacts/ mitigation.
 - Mitigation measures.
 - Assessment of energy centres, stack heights and emissions.
 - Summary of the assessment of results.

For further guidance see the leaflets titled, 'EPUK Guidance Development Control: Planning for Air Quality (2010 update), EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: To protect public health, those engaged in construction and occupation of the development from potential effects of poor air quality.

30. **Refuse Storage and Segregation for Recycling**

The development hereby permitted shall not commence until provision has been made for the storage of refuse / recycling awaiting collection in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

31. **Archaeological Investigation**

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

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before any phase of development (as identified in accordance with condition 4), other than demolition to existing ground level commences the applicant shall have secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing.

C) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (B).

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

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document and the NPPF.

See Informative 9

32. **Species Surveys and Mitigation**

Prior to the commencement of any development, the demolition of any buildings on the site, or the removal of vegetation or trees, a further survey of the site including existing buildings, trees and vegetation, shall be carried out in accordance with a scheme, and at a time of year, to be agreed in writing by the Local Planning Authority in consultation with Natural England.

Such surveys shall be targeted at Bats, Reptiles and Dormice.

Demolition of the buildings, removal of trees or vegetation shall only commence following confirmation by the survey/s to the satisfaction of the Local Planning Authority of the absence of bats, reptiles of dormice or in the event that such species are found, the implementation of an agreed mitigation strategy and the obtaining of the necessary Licences for such work.

Reason: Insufficient information has been supplied with the application to judge the final impact of the development upon protected species which are or may be present on the site. The submission of further surveys will ensure that the proposals do not affect Protected Species and that the development accords with the Development Control Policies Development Plan Document Policy DC61..

33. **Biodiversity Enhancement**

The development hereby permitted shall not commence until a scheme for the biodiversity enhancement measures to be incorporated into the development, in line with those detailed in the approved documents and plans, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed scheme and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of biodiversity measures.

Submission of a scheme for each phase of the development will ensure that opportunities for biodiversity enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

34. **Construction Environmental Management Plan**

The development hereby permitted shall not commence, including demolition, until a scheme for a Construction Environmental Management Plan to control the adverse impact of the development on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan/s shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;
- c) storage of plant and materials, including stockpiles of crushed concrete;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary;
- f) Details of access points to the site and routes within the site for construction vehicles;
- g) The method of piling on site;
- h) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
- i) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the Local Planning Authority;
- j) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority; siting and design of temporary buildings;
- k) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- l) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the

application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

35. **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 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 Development Control Policies Development Plan Document policy DC61.

36. **Wheel Washing**

The development hereby permitted shall not commence until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works.

The submitted scheme will provide the following details:

- a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.
- c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

37. **Contamination Assessment (1)**

The development hereby permitted shall not commence (except works required to secure compliance with this condition) until the following Contaminated land reports are submitted to and approved in writing by the Local Planning Authority.

a) A Phase III (Remediation Strategy) Report as the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

b) Following completion of measures identified in the approved remediation scheme mentioned in (a) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination.

Submission of the above assessments prior to commencement will ensure the safety of future occupants and those engaged in construction of the development hereby permitted. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61

38. **Contamination Assessment (2)**

a) If, during development of the development hereby permitted, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

39. **Gas Protection Measures**

The development hereby permitted shall not commence until a scheme detailing the gas protection measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority.

Following the completion of the approved gas protection measures a 'Verification Report' must be submitted demonstrating that the works have been carried out to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been submitted with the application to judge whether gas protection measures will be sufficient. Submission of the necessary details will protect future occupants and people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

40. **Inclusive Access and Wayfinding Strategy**

Any application for reserved matters for the approved development shall be accompanied by a statement and documentation to demonstrate compliance with a site wide inclusive Access and Wayfinding Strategy which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible and that the needs of all people accessing and travelling through the site will be addressed. Submission of an overall strategy and subsequent details will ensure that the development is designed, delivered and managed to a high standard of inclusive access and legibility of routes and that it reflects such high standards as they evolve during the construction phases of the development.

41. **Restriction of Use**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be for the provision of medical and health services only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

PLANNING INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent at a meeting with the Greater London Authority case officer. The revisions

involved changes to the perimeter blocks as requested by the GLA. The amendments were subsequently submitted on 21 July 2015.

3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
5. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
7. In aiming to satisfy condition 25 Thames Water require that the foul water drainage strategy clearly identifies the current and proposed point(s) of connection into the public sewer system as well as current and proposed peak flow rates.
8. Essex and Suffolk Water require that all new water mains are laid in the highway and that a metered connection is made onto their network for each new premises.
9. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in

accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs

10. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
11. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
12. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licence required.

**REGULATORY
SERVICES
COMMITTEE**

12 November 2015

REPORT

Subject Heading:

**P0191.15: 253 Chase Cross Road,
Romford**

**Demolition of existing building and
construction of new block comprising
6no. flats. (Application received 16
February 2015)**

Ward:

Havering Park

Report Author and contact details:

**Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

- Havering will be clean and its environment will be cared for [X]
- People will be safe, in their homes and in the community [X]
- Residents will be proud to live in Havering [X]

SUMMARY

The proposal is for the demolition of the existing dwelling and the construction of a new detached block containing 6no. self-contained flats.

The application raises considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents and the suitability of the proposed parking and access arrangements.

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 262.2 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £5,244 Mayoral CIL payment (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £30,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement 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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

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.

3. External Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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.

4. Landscaping

No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

5. Parking Provision

Before any part of the dwelling hereby permitted is first occupied the car parking provision as indicated in drawing no.304-02E shall be laid out and implemented in full and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

6. Boundary Treatment

Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Visibility Splay

The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason: In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

8. Wheel Washing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

9. Alterations to Public Highway

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of development.

Reason: In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

10. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

11. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the

removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

12. Refuse and Recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

13. Cycle Storage

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

14. Contaminated Land (1)

The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority:

a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and likelihood of contaminants, their type and extent incorporating a site conceptual model.

b) 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.

c) 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.

d) 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 Local Planning Authority; and

e) 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

15. Contaminated Land (2)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent Paul Shekleton. The revisions involved alterations to the appearance and a reduction in the scale and bulk of rear sections. The amendments were subsequently submitted on 19 October 2015.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £5,244 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority 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 StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are 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.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

4. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
5. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the property at 253 Chase Cross Road, Romford. This is a rectangular plot comprising in part of a detached two-storey dwelling and its domestic curtilage located towards the frontage with Chase Cross Road and a builders' storage yard and several detached single storey workshop buildings to the rear. The site is relatively flat and covers an area of 824 square metres (0.0824 hectares).
- 1.2 The site frontage consists of an area of hardstanding used for parking and the yard sections of the site to the rear are enclosed by gates and fencing. Residential accommodation is located to the north and west of the site and a parade of shops, servicing area and commercial storage units and workshops are located to the east.
- 1.3 The site is located adjacent to the Chase Cross Road Minor Local Centre and as such the surrounding area is characterised by a mixture of residential and commercial uses.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the demolition of the existing dwelling and construction of new detached block containing 6no.

self-contained flats. The accommodation would comprise 4no. one bedroom units, 1no. two-bedroom unit and 1no. three-bedroom unit.

- 2.2 The proposed building would be set back from Chase Cross Road, adopting a similar building line to the existing dwelling. To the rear the building would incorporate a 'T-shaped' footprint with a rear projecting section, taking the overall depth of the building to 15.7 metres.
- 2.3 The block would comprise of two-stories with an additional third floor within the roof space served by 2no. dormers to the front and an enclosed glazed gable section and 2no. dormers to the rear. The building would incorporate a hipped crown roof design with a ridge height of 8.4 metres with the eaves and roof ridge matching the height of the adjacent house at no. 251 Chase Cross Road.
- 2.4 The front elevation would feature a central pitched roof glazed section and an additional ground floor bay window to the west and an undercroft driveway to the east.
- 2.5 Internally the block would be arranged to give the flats a dual outlook to the front and to the rear. Each apartment on the ground and first floor would feature separate bedrooms and bathrooms and a combined lounge and kitchen area, with the three-bedroom flat in the roof space offering a separate lounge and kitchen.
- 2.6 The proposed layout would include private enclosed rear gardens of 23 square metres for the one-bedroom unit and 21 square metres for the two-bedroom unit at ground floor level and a rectangular communal amenity area of 124 square metres would be provided between the rear of the block and the proposed car park.
- 2.7 Off street car parking provision for 11no. vehicles would be provided within a dedicated rear car parking area with the development utilising the existing dropped kerb driveway arrangement directly from Chase Cross Road and a driveway through an undercroft section of the proposed building adjacent to the eastern boundary.

3. Relevant History

- 3.1 P1046.07 - Demolition of existing house and proposed 10 No. self contained flats consisting of 6 No. 2 bed and 4 No. 1 bed flats – Outline – Refused 6 September 2007

4. Consultations/Representations

- 4.1 Notification letters were sent to 30 properties and two representations have been received. The comments can be summarised as follows:

- Overlooking and loss of privacy to neighbouring houses due to the positioning and location of second floor windows.
- Noise and disturbance to neighbouring residents during the construction period.
- Increased traffic, parking problems and danger to pedestrians and road users along this section of Chase Cross Road. Cars double park in the layby outside the shops and across drives – with cars pulling out of the proposed development it will bring more danger to school children walking to Bower Park school.

4.2 In response to the above; the scheme has been amended to reduce the overall scale and bulk of the rear sections of the building which has resulted in a reduction in the overall prominence of the aforementioned second floor rear windows. The issues in relation to residential amenity are discussed in more detail in the 'Impact on Amenity' section of the report. To mitigate noise and disturbance to neighbouring residents it is proposed that a condition would be included in the approval notice to restrict the hours of construction. The points raised in relation to car parking, access and highway safety are discussed in more detail in the 'Parking and Highways Issues' section of the report.

4.3 In respect of the aforementioned amended plans; a second neighbour consultation has been undertaken, which closes on 12 November 2015. Any additional representations received will be reported to the committee verbally.

4.4 The following consultation responses have been received:

- Essex & Suffolk Water - no objection.
- Thames Water - no objection, recommended informatives relating to waste water, surface water drainage and water.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Environmental Health - no objection, recommended conditions relating to contaminated land.
- Local Highway Authority - no objection, recommended conditions relating to vehicle access and wheel washing.

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC26 (Location of Community Facilities), DC27 (Provision of Community Facilities), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36

(Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

- 5.2 Other relevant documents include the Residential Design SPD, Landscaping SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities) and 10 (meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the impact on the character and appearance of the street scene, the implications for the residential amenity of occupants of nearby houses and the suitability of the proposed parking and access arrangements.

Principle of Development

- 6.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.3 The site has a part residential and part commercial use and is regarded as a non-designated site in the LDF. Under the provisions of the NPPF there is no priority given to garden land as a re-developable brownfield site. However, in terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres and is within a predominantly residential area. Policy DC11 generally requires the redevelopment of non-designated commercial sites for housing.

- 6.4 On this basis the proposal is considered to be policy compliant in landuse terms and its use for domestic residential purposes is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.5 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.6 The proposal would provide 6no. residential units consisting of at a density equivalent to approximately 72 dwellings per hectare. This complies with the aims of Policy DC2 which states that a dwelling density of between 50 to 80 dwellings per hectare would be appropriate in this location.
- 6.7 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.
- 6.8 For one-bedroom flats for two people the spacing requirement is set at 50 square metres. For two-bedroom flats the minimum standard is set at 61 square metres for three occupants and 70 square metres for four occupants. For three-bedroom flats the minimum floorspace is set at 95 square metres for up to six persons.
- 6.9 The proposed flatted block would provide residential units with varying floor space sizes all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. Given this factor it is considered that the proposed development would be in accordance with technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.10 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 6.11 The proposed ground floor flats would have private enclosed rear gardens of 23 square metres for the one-bedroom unit and 21 square metres for the two-bedroom unit which would be accessed directly from each flat through patio style doors. Beyond the private gardens of the ground floor flats a rectangular area of approximately 124 square metres would be set out as open shared communal amenity space. Further details of landscaping would be secured through condition.

- 6.12 It is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space and in this instance would be adequate for the requirements of the one, two and three-bedroom flats.

Design/Impact on Streetscene

- 6.13 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.14 The proposed building would form a relatively prominent feature in the streetscene along this section of Chase Cross Road with the building filling the full 15 metre width of the site. However, the design and style of the proposed block is considered to adhere to the architectural character of the adjacent residential accommodation, with the building height, bulk and massing matching that of the neighbouring dwelling and row of terraced houses to the west, albeit with a more contemporary appearance. The crown roof design would give the building a more bulky appearance than a standard hipped roof design, but given the building would set back from Chase Cross Road and positioned alongside the adjacent shopping parade and dwellings it is not considered that this element of the proposed building would be unduly prominent in this instance.
- 6.15 It is acknowledged that to the east the proposed building would be juxtaposed to some extent alongside the two-storey parade of shops which incorporates a sloping flat roof design. It is considered that the adjacent shopping parade offers little in terms of architectural quality to this section of the streetscene and the features of this building should not necessarily be replicated in the proposed development. The proposed scheme has also been amended to include a 1 metre separation at first floor level between the flank elevation of the proposed building and the side elevation of the shopping parade block. As such it is considered that the proposed residential block would sit comfortably within this setting and would serve to enhance the character and appearance of the streetscene.
- 6.16 The proposed block would occupy a similar front building line to the existing dwelling and as such would respect the established building line of the adjacent dwellings and shops. As part of the development the site frontage would be re-landscaped resulting in the removal of the hardstanding and its replacement with lawned areas and planting. It is considered that this measure would also serve to greatly enhance the setting of the building and the appearance of the streetscene.
- 6.17 On balance it is considered that the proposed development would contribute positively to the streetscene along this section of Chase Cross Road and would serve to maintain and enhance the character and appearance of the area in accordance with Policy DC61.

Impact on Amenity

- 6.18 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 6.19 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for no. 251 Chase Cross Road located to the west and the first floor flat above the shop at no.257 Chase Cross Road located to the east of the application site.
- 6.20 At ground floor level the proposed building would project out along the boundary with no.251 up to the rear building line of a single storey rear section of the neighbouring house. The first floor element of no.251 is set back some 3.6 metres and as such the proposed building has been designed so that it would also incorporate a first floor set back. As a result the first floor section of the proposed building would project only 2.26 metres beyond the first floor rear elevation of no.251. On balance it is considered that this measure would provide sufficient spacing so as not to result in an unacceptable degree of overshadowing and would also serve to mitigate any undue loss of outlook from the first floor rear window at no.251.
- 6.21 The 'T-shaped' footprint of the proposed block would result in the building stepping in from the western boundary by 3.12 metres allowing sufficient spacing for the additional two storey rear projecting section in terms of its relationship with no.251. This section of the proposed building would lie some 7 metres from the first floor rear window at no.251 at an oblique angle and on balance it is not considered that this element of proposed building would result in overshadowing or loss of outlook to these neighbouring occupiers.
- 6.22 It should be noted that the proposed development would result in the removal of two single storey detached garage buildings and the larger single storey detached workshop building at the rear of the site, all of which abut the boundary with no.251. The proposed development would also cease the conflicting commercial use of the rear builders' yard area. Although it is a matter of judgement, Members may wish to consider that the proposal would result in a reduction in the amount of built development directly along the boundary with no.251 as well an overall improvement to the surrounding rear garden residential environment.
- 6.23 In terms of the impact on the first floor flat above the shop at no. 255 Chase Cross Road; the proposed building would project up to the first floor rear building line of the parade of shops. As with the relationship with no.251 on the western elevation, the proposed building would incorporate a step-in

with the rear projecting section set some 3.4 metres from the eastern boundary with no.255. As a result the rear projecting section of the development would lie approximately 4.8 metres from the rear window of the neighbouring flat at an oblique angle.

- 6.24 The two-storey dwellings to the north of the site at Merlin Close would be located some 50 metres from the proposed development. Given this distance it is not considered that the proposed development would present any undue impact on the residential amenity of these neighbouring houses.
- 6.25 On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

Environmental Issues

- 6.26 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site, but have recommended the use of standard conditions in relation to contaminated land issues.
- 6.27 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 6.28 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 6.29 Policy DC33 seeks to ensure that all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) is set at 2 meaning that the site is classified as having relatively poor access to public transport. Therefore residential development in this location is required to provide a high car parking provision of 2-1.5 spaces per unit.
- 6.30 The proposal can demonstrate off street car parking provision for 11no. vehicles within a dedicated rear car parking area. The parking provision would provide just under two spaces per flat at parking ratio of 1.8 spaces per unit which complies with the aims policy DC2.
- 6.31 In terms of access into the site; the development will utilise the existing dropped kerb driveway arrangement directly from Chase Cross Road and a driveway through an undercroft section of the proposed building adjacent to the eastern boundary. The proposed development would potentially result in an intensification of the use of this access for residential traffic, however amount of additional vehicles using the access point is not considered to be materially greater in comparison to the existing commercial use. Vehicles would be able to enter and leave the site in a forward gear.

- 6.32 An internal secure bicycle store for up to 10no. bicycles would be provided within the ground floor of the building, accessed from the main entrance hall to the block.
- 6.33 An internal refuse store would be provided to the front of the building adjacent to the main entrance. Given the proximity to Chase Cross Road the refuse store would be easily accessible for refuse collectors.
- 6.34 In terms of fire safety the development would allow for a pump appliance to approach to within 45 metres of all sections of the building in compliance with the Fire Safety Procedural Guidance.
- 6.35 The Local Highway Authority has raised no objection to the proposal in relation to the proposed amount of car parking provision and the access and servicing arrangements.
- 6.36 It is therefore considered that the proposed car parking and access arrangements are acceptable and would not result in highway safety or parking/ servicing issues.

Mayoral Community Infrastructure Levy

- 6.37 The proposed development will create 6.no new residential units with 262.2 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £5244.00 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.38 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 6.39 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.40 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.

- 6.41 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.42 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.43 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.
- 6.44 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6000 per dwelling for educational purposes would be appropriate.
- 6.45 The proposed new dwellings would result in an additional local infrastructure demand such that a financial contribution is needed in accordance with policy DC72. There would be a net addition of 5no. units and a charge of £6000 per unit is considered necessary to make the development acceptable in accordance with the policy which would need to be secured by way of a legal agreement.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.

- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the prior completion of a Section 106 Agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be needed to complete the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit sizes, including units that provide for wheelchair adaptable housing, and units which are designed to Lifetime Homes standards.

BACKGROUND PAPERS

Application form and supporting statements received on 16 February 2015 and amended plans received on 19 October 2015.

REGULATORY SERVICES COMMITTEE

12 November 2015

REPORT

Subject Heading:

P1173.15: 90 Main Road

Demolition of existing garage and erection of new detached chalet bungalow (Received 27 August 2015)

Ward

Romford Town

Report Author and contact details:

**Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	[X]

SUMMARY

The application is seeking planning permission for the demolition of an existing garage in the rear garden environment of 90 Main Road, Romford and the erection of a detached chalet bungalow with living space within the roof.

On balance the proposal is considered to be unacceptable. The primary issues identified by staff relate to the suitability of the plot to host an additional dwelling, the precedent of rear garden development of this type within the locality where spacious rear gardens are prominent and the aesthetic of the proposed dwelling, which would not respect, nor bear any resemblance to the dominant building form in Lodge Avenue.

The application is called in to committee by Councillor Joshua Chapman, who would like to explore the provision of parking and considers that the application merits greater discussion of its planning specifics.

RECOMMENDATIONS

The planning permission is refused for the following reasons.

1. The proposed development would, by reason of its siting and form, appear as an incongruous and visually intrusive feature in the street scene. The development would neither respect the dominant building form within Lodge Avenue and the wider locality. The development would therefore be harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
2. The proposed dwelling would, by reason of its siting, scale and proximity to the boundaries of the site combined with the width of the plot; give rise to a cramped and overdeveloped appearance in the street scene and an overbearing impact in the rear garden environment which would be harmful to the character and appearance of the street scene and the residential amenities of nearby residential contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
3. In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to the applicant/agent by email 21st October 2015.
2. The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £1600.

REPORT DETAIL

1. Call In

- 1.1 The application is called in to committee by Councillor Joshua Chapman, who would like to explore the provision of parking and considers that the application merits greater discussion of the planning specifics which make up the proposal.

1. Site Description

- 1.1 The application relates to a plot of land to the rear of 90 Main Road with outlook onto Lodge Avenue.
- 1.2 The dominant building form in Lodge Avenue is two storey semi-detached residential dwellings.

2. Description of Proposal

- 2.1 Permission is sought for the demolition of an existing garage and the erection of a detached chalet bungalow with an overall footprint of 61m².
- 2.2 The dwelling would have an overall ridge height of 5.95 metres and be sited within 1.0 metre of the boundary with 88 Main Road. It would feature living space in the roof and makes provision for two front dormers with outlook onto Lodge Avenue.
- 2.3 The proposal would comprise a lounge, toilet, kitchen and bedroom at ground floor with one additional bedroom with ensuite in the roof space.
- 2.4 Private amenity space is retained for both host and donor properties and two off street parking spaces are shown on submitted plans for the proposed dwelling.

3. History

3.1 None relevant

4. Consultation/Representations

4.1 Neighbour notification letters were sent to 13 neighbouring occupiers. Two letters of objection were received which raise the following concerns:

- Too close the boundary of neighbouring premises
- Loss of Privacy.
- Increased traffic/congestion
- Appearance of proposed dwelling not in keeping with locality, harmful to the street scene

4.2 Highway Authority – No objections.

4.3 Environmental Health – No objections.

5. Relevant Policy

5.1 Policies CP1, CP2, CP17, DC2, DC3, DC7, DC33, DC35, DC61, DC63, DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant.

5.2 Also relevant are Policies 3.1, 3.4, 3.8, 5.12, 6.9, 7.1, 7.3, 7.4, 8.3 of the London Plan and the National Planning Policy Framework (NPPF)

5.3 The Technical housing standards – national described space standard is also applicable.

6. Staff Comments

6.1 The main considerations relate to the principle of the development and the layout of the scheme, the appearance of the proposed dwelling in the street scene, the implications for the residential amenity of future occupants and nearby houses and the suitability of the proposed parking and access arrangements.

7. Principle of Development

7.1 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.

7.2 On this basis the proposal is considered to be policy compliant in land use terms and its continued use for domestic residential purposes is therefore regarded as being acceptable in principle, subject to other policy considerations.

8. Density/Site Layout

- 8.1 Staff will also seek to apply the standards offered by the Technical Housing Standards - Nationally Described Space document. Contained within this document are requirements for gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights.
- 8.2 The Technical Housing Standards - Nationally Described Space document stipulates that any proposed dwelling must provide at least the gross internal floor area and built-in storage set out on table 1 (page 5 of the aforementioned document). The minimum gross internal area for two bedroom, two storey dwellings is set at a figure of between 70m² and 79m², varying based on the number of proposed occupiers. Whilst it is clear that the lower GIA is most relevant, based on the layout shown on submitted plans, the proposed dwelling makes provision for a gross internal floor area of approximately 73.7m², (Floor area with less than a ceiling height of 1.50m is disregarded for the purposes of calculating the GIA). Guidance also requires that any proposed dwelling demonstrate a minimum floor to ceiling height of 2.30m for at least 75% of the gross internal floor area. In this respect the proposed dwelling would provide headroom in excess of 2.30m over 79% of the GIA, thus in accordance with adopted guidance.
- 8.3 Staff consider that the proposed development complies with the other standards which must be applied in terms of bedroom sizes and mix, however recognise that there is a deficiency in terms of the floor area of the single bedroom at ground floor level. It is not considered sufficient enough so as to justify a recommendation for refusal however.
- 8.4 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading. An area of approximately 100m² (staff calculate the figure to be in the region of 89m²) to the side of the proposed dwelling will be set out as garden amenity space. In terms of size the proposed amenity space is considered sufficient for day to day living. The surrounding dwellings within this suburban location however are characterised by private spacious rear gardens and it is considered that the arrangement demonstrated on the submitted plans does not adhere to this principle. The siting of the amenity space to one side of the dwelling represents somewhat of an anomaly, and emphasises the unsuitable nature of the plot in terms of its depth.

9. Impact on Street Scene

- 9.1 Policy DC61 states that development must respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding context.

- 9.2 It is the view of staff that the proposed dwelling under consideration would represent somewhat of an anomaly and would fail to integrate acceptably with the street scene and in relation to surrounding premises by reason of its design and style. In order to make up for the shortfalls of the site in terms of plot depth, living space has been incorporated into the roof space of the proposed dwelling. By seeking to maximise the internal habitable space, the resultant dwelling would bear little resemblance to adjacent properties on Lodge Avenue or the host dwelling and would as a consequence appear as an incongruous feature.
- 9.3 The prevailing character of Lodge Avenue is essentially pairs of hipped roof, two storey semi-detached dwellings and the introduction of a detached property with a side gabled roof would represent a departure from the dominant building form. Whilst staff appreciate that the donor property and its unattached neighbour, 88 Main Road are bungalows, the proposed dwelling would be seeking to integrate with the Lodge Avenue street scene..
- 9.4 Concerns raised are accentuated by the confined setting of the plot, with the proposed dwelling featuring only a minor setback of just over 1.0m to the rear boundary of the site. It is clear that despite the presence of mature trees screening the rear boundary of the site which offer a level of protection to 88 Main Road, that the proposed dwelling, by reason of its siting, proportions and proximity to the boundaries of the site would appear uncharacteristic within the rear garden environment.

10. **Impact on Amenity**

- 10.1 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 10.2 The unattached neighbour to the south of the proposed dwelling at 175 Lodge Avenue has only one flank window which is situated at ground floor level. This window previously served a garage which was converted in 2009. Consequently little weight is given to any potential loss of light resulting from the development proposed.
- 10.3 The dwelling proposed features no windows at first floor level which would have direct outlook over/onto neighbouring occupiers. The rear boundary of the site is also framed by mature trees and vegetation which affords neighbouring premises some level of screening. It is considered that any resultant loss of privacy/loss of light would therefore be marginal.
- 10.4 The main concern of staff relates to the design and scale of the proposed dwelling and how appropriate a dwelling of such scale is in terms of the rear garden environment. Concerns raised are accentuated by the confined

setting of the plot, with the proposed dwelling featuring only a minor setback of just over 1.0m to the rear boundary of the site. It is clear that despite the presence of mature trees screening the rear boundary of the site, by reason of its siting, scale and proximity to the boundaries of the site, the proposed dwelling would appear as a visually intrusive and dominant feature, to detriment of the outlook enjoyed from neighbour occupiers, particularly the donor property and 88 Main Road

11. Highway/Parking

- 11.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site and the donor property are located within an area which has poor level of access to public transport and consequently a high standard of 1.5-2 parking spaces are required per dwelling, both proposed and donor.
- 11.2 The proposed development would result in no loss of parking for the donor dwelling and would provide a sufficient number of off street parking spaces for the proposed dwelling.
- 11.3 No objections are raised by the Highway Authority.

12. Section 106

- 11.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
 - (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.
- 11.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 11.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 11.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is

now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 11.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 11.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 11.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 11.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £6000 for educational purposes would be appropriate.
- 11.9 As this application is recommended for refusal there is no mechanism for securing this contribution and this therefore also forms grounds for refusal.

12. Key Issues/Conclusion

- 12.1 The proposed development would be located within an existing urban area in a sustainable location and would appear to demonstrate adequate internal spacing suitable for day to day living. It would also create no highways or parking issues.
- 12.2 It is considered however, that the proposed dwelling would, by reason of its siting and design, appear out of keeping with the character of the adjacent properties and thus would be detrimental to the Lodge Avenue street-scene. Due to the constraints and clear inadequacies of the application site in terms of plot depth and by consequence its ability to host an additional dwelling

successfully, the proposed dwelling represents development inappropriate for the rear garden environment, with an unsatisfactory relationship to neighbouring residential occupiers.

- 12.3 The development is considered to be contrary to the provisions of Policies DC61. Therefore it is recommended that planning permission is refused accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement, should the application be approved.

Legal implications and risks:

Legal resources will be needed to draft the legal agreement, should the application be approved.

There is a risk that the weight accorded to the Development Plan Policy and Supplementary Planning Document on Planning Obligations may be challenged at appeal or through judicial challenge.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form and drawings received 27 August 2015.

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