



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
3 December 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 12 November 2015 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX & REPORTS (Pages 13 - 34)

- 6 **P1295.15 - GIDEA PARK PRIMARY SCHOOL, LODGE AVENUE** (Pages 35 - 46)
- 7 **P0911.15 - BEEHIVE COURT, GUBBINS LANE, HAROLD WOOD** (Pages 47 - 54)
- 8 **P1368.15 - 1 ALBYNS CLOSE, RAINHAM** (Pages 55 - 74)
- 9 **P0821.15 - CROWNFIELD JUNIOR SCHOOL, WHITE HART LANE, ROMFORD**
(Pages 75 - 82)
- 10 **P0954.15 - TRAINING GROUND & SPORTS STADIUM, RUSH GREEN ROAD, ROMFORD** (Pages 83 - 104)
- 11 **P1429.15 - ONGAR WAY, RAINHAM** (Pages 105 - 122)
- 12 **P1566.12 - RAINHAM LANDFILL** (Pages 123 - 126)
- 13 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS** (Pages 127 - 130)
- 14 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS** (Pages 131 - 154)
- 15 **SCHEDULE OF ENFORCEMENT NOTICES** (Pages 155 - 168)
- 16 **PROSECUTIONS UPDATE** (Pages 169 - 170)
- 17 **SCHEDULE OF COMPLAINTS** (Pages 171 - 172)
- 18 **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
12 November 2015 (7.30 - 10.15 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace (Vice-Chair),
Steven Kelly, +John Crowder and +Michael White

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

Apologies were received for the absence of Councillors Ray Best and Philippa Crowder.

+Substitute members: Councillor John Crowder (for Ray Best) and Michael White (for Philippa Crowder).

Councillors Linda Van den Hende and Ron Ower were also present for parts of the meeting.

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

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

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

352 **MINUTES**

The minutes of the meeting held on 22 October were agreed as a correct record and signed by the Chairman.

*It was also **RESOLVED** that the minutes of the meeting held on 17 September 2015 approved and signed by the Chairman at the meeting on 22 October 2015 be amended in the following respect to correct an*

inaccuracy subsequently discovered concerning minute number 337 - P1116.15 Units 4A and 4B Market Place, Romford.

The following condition was to be included in the Section 106 agreement a restriction on residents applying for parking zone permits (apart from blue badge holders).

353 P1173.15 - 90 MAIN ROAD, ROMFORD

The application before Members sought 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.

The application had been called-in by Councillor Joshua Chapman who wished the Committee to discuss the provision of parking and considered the application merited greater discussion of the planning specifics which made up the proposal.

Members were advised that due to other commitments Councillor Chapman was unable to attend the meeting but had submitted a written statement to be read before the Committee. Councillor Chapman's statement commented that there was a lack of parking provision at the site and that the site was inappropriate for such a development. Councillor Chapman also commented that the site was included within Development Control Policy DC69 covering the Gidea Park Special Character Area.

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

The objector commented that there were concerns from local residents that the proposed development would lead to a need for increased parking provision. The objector also commented that there already existed a problem with parking overspill from the nearby park and primary school. The objector concluded by commenting that the proposed development was not in keeping with the character of the area.

The applicant responded by commenting that the proposed development was of benefit to the area as there was a shortfall of bungalows in the area. The applicant also commented that the development would have a minimal impact on the area.

During a brief debate Members discussed the style of existing properties in the area and the possible impact of parking provision on the surrounding roads.

The report recommended that planning permission be refused, however following a motion to approve the granting of planning permission which was carried by 8 votes to 3 it was **RESOLVED** to delegate to the head of

Regulatory Services to grant planning permission subject to the applicant entering and completing a legal agreement to secure an education contribution and subject to conditions to include the following and any others judged necessary by the head of Regulatory Services:

- Permitted development restriction
- Materials
- Windows
- Boundary treatment
- Full accordance with plans
- Parking
- Landscaping

Also in the event that the applicant did not agree to enter into a legal agreement then the application would be referred back to the Committee for consideration.

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

Councillors Misir, Crowder, Kelly, White, Donald, Whitney, Martin and Williamson voted for the resolution to grant planning permission.

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

354 **P1115.15 - THE SANCTUARY (LAND ADJACENT), PEA LANE**

The application before Members proposed to utilise the application site as a car park, to be used in conjunction with The Sanctuary health centre. The site would have thirteen car parking spaces. The site would utilise the existing access off Pea Lane, and would be surfaced in permeable gravel.

Members noted that the application had been called in by Councillor Linda Van den Hende on the grounds that the new application covered all the issues previously set out as reasons for rejection, primarily as it's in the Green Belt. The car park was temporary, would be made of materials which could be easily removed and the land which was currently in the corner of a farmer's field and unused for crops, could be returned to agricultural use. The planting of trees along the boundary of the area would shield the car park and indeed enhance an area which was currently unsightly and after the car park was returned to agriculture would be a lasting enhancement. It would improve the business of The Sanctuary and enable the existing car park close to the treatment rooms to be allocated exclusively for disabled parking.

With its agreement Councillor Linda Van den Hende addressed the Committee.

Councillor Van den Hende re-emphasised the points made in her call-in commented that the business had been in place since 1998 and had proved beneficial to the community. Councillor Van den Hende also commented that the proposal would be a safe secure area and that there would be no loss of amenity and asked that the Committee approved the granting of planning permission.

During the debate Members discussed the possible harm to the Green Belt and the proposal's special circumstances.

Some Members felt that by granting planning permission on Green Belt land weakened the Council's position when it came to refusing other applications that were on Green Belt land.

There was also mention of the alleviation of parking problems that the proposal would help with but again some Members felt that by granting planning permission a dangerous precedent could be set and that developing on Green belt land was not the answer to solving a shortage of parking throughout the borough.

The report recommended that planning permission be refused, however following a motion to approve the granting of planning permission which was carried by 6 votes to 4 with 1 abstention it was **RESOLVED** to delegate to the Head of Regulatory Services to grant planning permission subject to a condition requiring that the car park use was to cease and the land be fully reinstated to Green Belt use and appearance in accordance with details to be submitted and agreed in writing and subject to any other conditions which the Head of Regulatory Services judged necessary.

The vote for the resolution to grant planning permission was carried by 6 votes to 4 with 1 abstention.

Councillors Misir, Crowder, White, Donald, Hawthorn, Whitney voted for the resolution to grant planning permission.

Councillors Kelly, Wallace, Nunn and Martin voted against the resolution to grant planning permission.

Councillor Williamson abstained from voting.

355 **P1669.14 - 68 STATION ROAD, UPMINSTER**

This application before Members was 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-bedroom 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.

With its agreement Councillor Ron Ower addressed the Committee.

Councillor Ower commented that the development would be in a noisy town centre location which was located next to a 24 hour operational bakery and the proposed properties would suffer from a lack of amenity. Councillor Ower also commented that the access to the development was via a private road that served other retail units in the parade. Councillor Ower concluded by commenting that there would also be a lack of parking and noise nuisance from the nearby station especially if twenty four hour tube operation was extended to the District Line.

During a brief debate Members received clarification of the proposed developments proximity to the station and discussed the issue of buyer beware that would be a judgement call for any prospective resident.

A motion to refuse the granting of planning permission was lost by 2 votes to 9.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £4,760 and **RESOLVED** that the proposal was unacceptable as it stood 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 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was 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 as set out in the report.

The vote for the resolution to grant planning permission was carried by 9 votes to 2.

Councillors Misir, Crowder, Kelly, Wallace, White, Nunn, Whitney, Martin and Williamson voted for the resolution to grant planning permission.

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

356 **P0321.15/P0323.15 - ST GEORGE'S HOSPITAL, SUTTONS LANE, HORNCHURCH**

The report before Members considered two outline planning applications that had been received for the redevelopment of St. George's Hospital, Suttons Lane, Hornchurch. The site had been vacant since 2012 and was now surplus to requirements. Both applications were 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 had also been submitted.

P0321.15 was 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 was for the redevelopment of 1.74 hectares of the St. Georges Hospital site located to the north west of the site for the purposes of providing up to 3,000 sq metres of new healthcare development together with a new vehicular access, plus car parking, infrastructure and landscaping.

Officers advised that there were a number of amendments to the report.

Item 3.2.4 on page 137 should now read as:

- 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 75 apartments and houses.
- New build development of 215 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:

- 14% 1 bed apartments
- 28% 2 bed apartments
- 2% 3 bed apartments
- 12% 2 bed houses
- 24% 3 bed houses
- 14% 4 bed houses
- 4% 5 bed houses
- 1.4% studio flats
- 15% of units offered as affordable housing.
- Car parking at a rate of 1.7 per unit overall.

Item 7.4.6 should also now read as:

The scheme proposed the retention and re-use of 4 of the six most important buildings on the site, plus two others, all of which offer the opportunity for viable residential conversion.

Condition 5 of the report on page 133 to be amended to read Footprint and Floorspace.

On page 143 Natural England had now withdrawn its objection.

Members agreed to delegate any changes to the conditions of the planning permission to the Head of Regulatory Services

During the debate Members received clarification on the distribution of S106 monies and Mayoral CIL contributions.

Members also received clarification that the existing chimneys on the site were to be removed during the development.

Members also discussed the parking provision for the healthcare centre which was felt to be insufficient in relation to the amount of people who would be working at and visiting the site.

With regards to the residential development Members felt that 15% affordable housing was not sufficient and that the proposal was an overdevelopment of the site which left very little “green” areas and was a loss of the Green Belt.

Members also questioned the decision to build studio flats as these appeared to be out of keeping with modern home building practices.

With regards to P0323.15, the healthcare facility, the report recommended that planning permission be granted, however following a motion to defer the consideration of the item it was **RESOLVED** that consideration of the item be deferred to provide an opportunity for the applicants to (significantly) increase parking on site for occupiers and users.

With regards to P0321.15, residential development, the report recommended that planning permission be granted, however following a motion to refuse the granting of planning permission which was carried by 8 votes to 3 it was **RESOLVED** to refuse the granting of planning permission on the grounds of:

- Inappropriate, harmful development of the Green Belt;
- Overdevelopment of the site by reason of unit numbers, built form and impact on openness;
- Failure to meet minimum internal space standards;
- Failure to secure by legal agreement the following – education contribution;
- Sustainable transport/cycling improvements;
- Mitigation of the Country Park impact;
- Affordable housing provision

The vote for the resolution to refuse the granting of planning permission was carried by 8 votes to 3.

Councillors Crowder, Kelly, Wallace, White, Nunn, Whitney, Martin and Williamson voted for the resolution to refuse the granting of planning permission.

Councillors Misir, Donald and Hawthorn voted against the resolution to refuse the granting of planning permission.

357 **P0760.15 - 268-272 NORTH STREET, ROMFORD - ADDITIONAL STOREY AND CONVERSION OF EXISTING FIRST FLOOR OFFICE TO CREATE A TOTAL OF EIGHT FLATS**

The Committee considered the report and without debate **RESOLVED** to refuse the granting the granting of planning permission contrary to officer recommendation on the grounds of:

- Poor quality residential environment for future occupiers of the development.
- Failure to meet minimum internal space standards.
- Insufficient amenity space.
- Failure to secure education contribution via a legal agreement.

358 **P1015.15 - UNITS 1,2 AND 10 MUDLANDS INDUSTRIAL ESTATE**

The application before Members sought 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, included:

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

Members were advised that facility would be dealing with the processing and disposing of pre-shredded tyres.

During the debate Members questioned the amount of vehicle movements to and from the site and how the fumes from the burning process would be efficiently removed from the site so as not to impact on the amenity of local residents.

Members also noted that there had been no comment from the London Fire Brigade as to how they would deal with a fire on the site.

In reply to a question regarding why DEFRA had not submitted a response, officers replied that as the tonnage level of tyres being processed was below 50,000 then the Council would licence the activity.

It was **RESOLVED** that consideration of the item be deferred for further information to clarify:

- a) Fire risk management plan to address the risk of combustion of shredded tyres material.
- b) Risk of fire (including arising from arson) of stored tyres (a) and (b) to be checked specifically with the Fire Brigade.
- c) Air quality and smell disturbance including perceptions that may "billow smoke" thereby prejudicing amenity and regeneration of area.

359 **P1207.15 - 112-116 SOUTH STREET, ROMFORD - CHANGE OF USE OF PART GROUND FLOOR AND FOUR UPPER FLOORS (USE CLASS A3) TO HOTEL (C1) INCLUDING EXTENSION TO SIDE ELEVATION**

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

- 360 **P1340.15 - PLOTS 7 & 8 BEAM REACH BUSINESS PARK, 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**

The Committee considered the report and without debate **RESOLVED** that the application was unacceptable as it stood 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 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was 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 make the aforementioned variation to the existing Deed and, upon completion of that obligation, re-issue planning permission as per the conditions as set out in the report.

- 361 **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 FIVE RESIDENTIAL UNITS (FOUR X 1 BEDROOM UNITS AND ONE X 2 BEDROOM UNIT)**

The Committee considered the report and without debate **RESOLVED** to refuse the granting of planning permission contrary to officer recommendation on the grounds of:

- Overdevelopment resulting in excessive mass/height harmful to streetscene including the relationship with neighbouring buildings;
- Inadequate on-site parking provision;
- Failure to secure £30,000 (note not £36,000 as in report paragraph 6.22 as it was 5 additional flats not 6) education contribution via legal agreement.

The vote for the resolution to refuse planning permission was carried by 10 votes to 1.

Councillor Misir voted against the resolution to refuse the granting of planning permission.

362 **P0191.15 - 253 CHASE CROSS ROAD, ROMFORD - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A NEW BLOCK COMPRISING OF SIX FLATS.**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £5,244 and without debate **RESOLVED** that the proposal was unacceptable as it stood 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 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was 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 as set out in the report.

363 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

Chairman

Regulatory Services Committee

3 December 2015

Application No.	Ward	Address
P1015.15	South Hornchurch	Units 1-2 & 10, Mudlands Ind Estate, Manor Way, Rainham. RM13 8RH
P1316.15	Elm Park	24 Mungo Park Road, Rainham, RM13 7PA
P1377.15	Upminster	110 Sunnings Lane, Upminster, RM14 2DG

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 3rd December 2015

APPLICATION NO. P1015.15
WARD: South Hornchurch **Date Received:** 13th July 2015
Expiry Date: 9th December 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

BACKGROUND

This application was heard at the last Regulatory Services committee meeting on the 12th November 2015. Members resolved to defer the decision to allow additional information to be presented. In this regard Members requested further detailed information on the potential risk of fire; the submission of a fire risk management plan; clarification on any potential air quality and odour; and confirmation that the proposal would not be incompatible with the longer term objectives of City in the East. Seeking to provide a response to the concerns raised at the meeting one by one:

Fire

The London Fire Brigade, as previously outlined, has raised no objection, in principle, to the site use. In the event of fire the Brigade is satisfied that vehicle access is satisfactory and no additional fire hydrants are required. As requested by Members, clarification on the London Fire Brigade's position has been sought and the Brigade has confirmed that they are satisfied with the proposals.

Notwithstanding this, as further requested by Members, a fire safety and emergency plan has been produced and submitted by the applicant. This details the general practical fire safety arrangements for the site, including an on-site sprinkler system, and the training programme which staff have already undertaken. Certificates confirming staff have attained the required level of

expertise in this regard has also been provided. The Council's emergency planning officer has been consulted on this and from his own experience it has been suggested that any plant working with oils, gases and carbonaceous materials is likely to have an increased fire risk and this duly needs to be addressed as part of their (the applicant's) fire risk assessment. The applicant has submitted a high level fire emergency plan and, from an emergency planning perspective, the only concern therefore raised is ensuring that the site is run efficiently. As Members are aware, the operations on site will be assessed and further controlled by the Environmental Permitting regime. In respect of this, and the concern raised, monitoring of the site will also be undertaken by the Council to ensure compliance with the planning permission and that the site is operating in a safe and efficient manner.

As part of the proposed development, up to 50 tonnes of pre-shredded tyres would be imported to the site per day. The automated plant which is proposed within the units would then transfer all the shredded tyres into pots/containers. The sealed pots of shredded tyres would then be automatically moved on a conveyor belt from unit 10 to units 1 and 2 for processing. Consequently, there would be no stockpiling of pre-shred tyres on-site and there would be no external storage so as to avoid moisture and/or other contaminants from entering the process.

The Health and Safety Executive within their briefing note on spontaneous heating of piled tyres, shred and rubber crumb notes that the chopping and grinding of tyres produces a low density, porous material through which air may percolate. The combination of permeability to air-flow and a high exposed surface area can mean that a combustible material such as rubber is potentially susceptible to spontaneous combustion. The risk of ignition in practical circumstances may be raised by contamination of the tyres (which may allow biological heating in damp conditions) or by the rusting of exposed wires (which also generates heat). Many of the standard methods of protection against spontaneous combustion are applicable to tyre shred. These include:

- the control of material risk factors e.g. exposed metal content, proportion of fines;
- minimising pile size;
- controlling moisture levels;
- managing stock to prevent piles being left for long periods;
- sub-surface temperature monitoring;
- the turning of piles at risk of spontaneous heating;
- minimising external heating e.g. shading from direct sunshine; and
- controlling ventilation by enclosure (if possible).

Guidance issued by the Environment Agency in this regard states that stockpiles of such materials should be no more than 3m in height.

Having regard to relevant guidance from the Health and Safety Executive and the Environment Agency, it is considered the risk of spontaneous combustion on-site is limited as: no shredding of tyres would take place on-site with tyres arriving on-site pre-shred; there would be no stockpiles of shredded tyres on-site; the shredded tyres would be delivered and fed directly into the system without the shredded tyres standing on-site, as such sunlight and moisture would not be able to raise the heat of the shred to a point where combustion may occur; and the system is designed to use all the shredded tyres in one cycle with a subsequent cycle beginning once the previous has completed as to limit the quantity of material on-site at any one time.

Air Quality and Odour Impact

In considering the proposed operation in more detail, than that stated in the previous report presented to Members, the shredded tyres which are proposed to be imported to the site would be treated (heated) in the absence of oxygen in a sealed oven. This results in the generation of synthetic gas and allows the recovery of solid products. The gases produced would be directed into a condensing unit which creates/separates liquid and gaseous fractions. Within the condensing unit diesel is drained into sealed containers. Gases are directed to a sealed container which comprises an inflatable balloon housed within a rigid steel container. In the case of leakage of the storage diesel, an emergency tank is proposed adjacent which would be double bunded and capable of accommodating 110% of the diesel tank capacity.

The system and operation is proposed to be completely automated and once the pot used to heat the shredded tyres has cooled, the bolts would be removed and the pot laid on its side. A rubber flange would then be placed around the opening and the contents removed. The material is vibrated and the carbon char resulting from the heated shredded tyres is separated with magnets being used to extract the metal content. This emptying and separation process is to be undertaken completely within an air tight unit to eliminate issues of dust, odour and noise.

It is considered the main source of potential air quality impact would be from the operation of the actual combined heat and power units. These are operated by a diesel engine, akin to that used by a HGV, and therefore require the proposed flue. The actual shredded tyre treatment process is inclusive and does not result in any emission or odour. Consequently the only output is that of a single diesel engine.

The flue required for the combined heat and power units would be a straight metal pipe as the absorbers and filters, required by European Environmental Directives, are within the plant itself. These ensure that any emissions fully comply with the European Environmental standards. An Air Quality Assessment has been submitted with the application and this states that the traffic congestion along New Road, the adjacent sewerage works and industry in the area already result in a heightened air quality environment. The conclusion of the Assessment submitted is that there would not however be an exceedance of relevant air quality standards and no contrary view to this has been expressed by the Council's Environmental Health officer. Furthermore, the on-going control of emissions from the site would be regulated by the London Borough of Havering's Environmental Health department. Indeed, an Environmental Permit in this regard is required and has already been applied for by the applicant to enable the Council to further assess and impose restrictions on the acceptable standards of emissions based on European, national and local standards and guidance.

Other Points of Clarification

Site safety and potential anti-social behaviour: The proposed internal plant would continually operate. It will however be supervised at all times. The design of the units is that there is no rear or side yard. The forecourt of each unit would nevertheless be safeguarded by galvanised palisade fencing. Each unit has office accommodation that would continually be occupied and would overlook the forecourt. Access to the units would be controlled by office/reception staff.

Malfunction, breakdown or failure of plant and equipment: In the event of a mechanical malfunction or when serving needs to be undertaken the plant would either be automatically or manually shut down. The oven would then be allowed to cool and an assessment made on the work that needs to be undertaken. In the event of conveyor breakdown, all operations would be stopped until the issue is fixed. Should the combined heat and power units fail, gases would be diverted to other engines inside the building and/or stored in the gas balloon. Safety valves within such system would then automatically, via a failsafe system, be utilised to ensure ventilation is managed and exercised in a safe manner. If the operations cease a secure container is proposed to be installed within unit 10 sufficient to store material for up to two days. In the event this is full then no further material will be accepted as material stored outside cannot be used in the plant.

Hours of operation: In terms of vehicle movements, although the site is proposed to be operational 24 hours, 7 days a week, the applicant has agreed that the vehicle movements associated with both the delivery of shredded tyres and the collection of recovered material to be reused will only take place between 09:00 and 17:00 hours.

Duration of use: Pre-applications discussions were undertaken in respect of this proposal and at an early stage the fact that this 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) primarily for residential re-development, was raised. Following discussions with the Council's regeneration team, it was advised that, without prejudice, a five year temporary planning permission would not however, in principle, prejudice the long term aspirations for the area.

Below is the report that was presented to Members at the November meeting. In view of the above additional information and clarification it is recommended that planning permission be granted for a temporary five year period subject to conditions.

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 - 3rd December 2015

APPLICATION NO. P1316.15
WARD: Elm Park **Date Received:** 16th September 2015
Expiry Date: 11th November 2015

ADDRESS: 24 Mungo Park Road
Rainham

PROPOSAL: Single storey rear extension

DRAWING NO(S): Proposed Side Elevation Plan
Existing Rear Elevation Plan
Existing Ground Floor Plan

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

CALL-IN

The application has been called in by Councillor Julie Wilkes. The reasons for the call-in of this application are:

- a lack of car parking spaces
- insufficient space for additional cars in the cul-de-sac
- loss of privacy and light

SITE DESCRIPTION

The subject site is located on the eastern side of Mungo Park Road, a small cul-de-sac off the main Mungo Park Road. The subject building is an end of terrace dwelling in a terrace of six. The subject dwelling is a two-level brick and tile dwelling located near the front of the site. The site is relatively flat and quadrilateral-shaped.

The surrounding environment is an established residential suburb comprising terrace development. The subject site also adjoins St Alban's Catholic School, located on the northern boundary.

DESCRIPTION OF PROPOSAL

The application seeks retrospective approval for a single storey rear extension with a depth of 2.87m (in line with the existing rear extension, a width of 6.25m and a height of 3.35m. This will create a single storey rear extension spanning the width of the building. Planning permission is required for the extension owing to its width, which is beyond that for which permitted development rights apply.

This application is solely in respect of the single storey rear extension and the proposal should be assessed solely in respect of this. The proposal does not relate to the use of the main dwelling itself, which is outside the scope of this application.

RELEVANT HISTORY

N/A

CONSULTATIONS / REPRESENTATIONS

A total of 18 parties were consulted as part of the planning application. Two letters of representation have been received, objecting to the proposal on the following grounds:

- the extension affects daylight
- house is in multi-occupation and this will increase demand for it
- noise and anti-social behaviour impacts
- harm to residential character
- impact on parking in the cul-de-sac
- impact on drainage and problems of damp

Councillor Julie Wilkes has objected to the proposal for the reasons set out already in this report.

RELEVANT POLICIES

LDF

- CP17 - Design
- DC61 - Urban Design
- SPD04 - Residential Extensions & Alterations SPD

OTHER

- LONDON PLAN - 7.4 - Local character
- LONDON PLAN - 7.6 - Architecture
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposal is not CIL liable.

STAFF COMMENTS

In the assessment of the proposal Staff considered the following matters:

- the impact of the proposal on the street scene and surrounding neighbourhood
- the impact of the proposal on adjoining sites

It should be noted that planning permission is not required for the use of a dwelling as a house of multi-occupation providing criteria limiting the number of occupants are met. Any allegation that the use of the dwelling exceeds these limits would need to be investigated separately. The application under consideration is in respect of the single storey rear extension and may be considered separately from the use of the dwelling as a whole.

Consequently, issues relating to the use of the property for multi-occupation and any associated issues relating to noise, disturbance or parking demand are not relevant to consideration of this application.

DESIGN / IMPACT ON STREET / GARDEN SCENE

As the extension will be wholly contained within the rear of the site it will not be visible from the road. There will not be any adverse effects on the streetscene.

The extension is 2.87m in depth and of a scale and proportions that are acceptable within a rear garden environment.

The proposed extension will be wholly screened from the adjoining site at No. 22 Mungo Park Road by the existing rear extension and as such will not be visible from this site.

The proposed extension will be located approximately 17m from the rear wall of the rear site at No. 12 Mungo Park Road. The building separation is considered to mitigate any adverse effects on this site. Extensive screening is also provided along the common boundary.

The proposed extension will be located 5m from the boundary of the adjacent school with extensive screening provided along the common boundary.

IMPACT ON AMENITY

The application property already benefitted from a single storey rear extension adjacent to the boundary with No. 22 Mungo Park Road. The extension, subject of this application, is located to the northern side of the existing extension so does not materially affect no.22, which lies to the south.

The extension is set well away from the rear boundary of the site with No. 12 Mungo Park Road. Adequate screening is provided along the common boundary to ensure that the proposed extension will not be visible.

The northern boundary of the site adjoins a school. Given the non-residential nature of the adjoining site, the extension will not give rise to any material harm to the adjacent school. There are no flank windows within the extension and no direct adverse impact on the school.

Overall it is considered that the proposed development will not cause detriment to the residential amenities of neighbouring sites.

HIGHWAY / PARKING

The application has been assessed by Council's Traffic Engineers who raise no objections to the proposal. The proposal increases the total number of bedrooms within the building by 1No. to 6No. bedrooms. This increase is considered to be marginal and will not generate any significant impact beyond that of the existing premises on the functioning of the road network. It is acknowledged however that this is a matter for judgement for Members.

KEY ISSUES / CONCLUSIONS

The proposal is considered to be appropriately designed and not to adversely impact the character of the streetscene. Staff have considered the relationship of the extension to neighbouring properties and consider that no material harm to neighbouring residential amenity will result. It is therefore recommended that planning permission is granted.

RECOMMENDATION

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

1. **Non Standard Condition 31**

The extension hereby approved shall only be used as an integral part of the main dwelling at 24 Mungo Park Road and shall not be used as a self-contained living accommodation.

Reason:

To ensure that the development provides a suitable standard of living accommodation.

INFORMATIVES

1. Non Standard Informative 1

The scope of assessment in this application is the appropriateness of the rear extension. This planning permission does not assess or authorise the use of the building overall or any of the other individual rooms in the property, nor the layout of the dwelling as shown in the drawings submitted with the application.

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 - 3rd December 2015

APPLICATION NO. P1377.15
WARD: Upminster **Date Received:** 21st September 2015
Expiry Date: 7th December 2015
ADDRESS: 110 Sunnings Lane
Upminster
PROPOSAL: Two storey side extension and demolition of single storey rear extensions
DRAWING NO(S): 038.15.01
Site Location Plan
038.15.02
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 is an end of terrace house located on the western side of Sunnings Lane. The property lies within the Metropolitan Green Belt and development in the surrounding area is characterised by similar residential dwellings.

The house has previously been extended to the rear at single storey level.

DESCRIPTION OF PROPOSAL

The Local Authority are in receipt of an application which seeks consent for the demolition of the existing single storey rear extension and the erection of a two storey side extension, which would provide an additional bedroom at first floor level and increased living space at ground floor.

RELEVANT HISTORY

P0039.15 - Two storey side extension - Refused

CONSULTATIONS / REPRESENTATIONS

The application under consideration was advertised in the local press, a site notice displayed adjacent to the site and neighbouring occupiers within the immediate vicinity were notified by way of direct correspondence.

No letters of objection have been received.

Environmental Health - Advised applying condition relating to contaminated land
Highway Authority - No objection

RELEVANT POLICIES

LDF

DC33 - Car Parking
DC61 - Urban Design

OTHER

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.6 - Architecture

NPPF - National Planning Policy Framework

STAFF COMMENTS

GREEN BELT IMPLICATIONS

Policy DC45 does not discourage extensions and alterations within the Metropolitan Green Belt, however stipulates that "extensions, alterations and replacement of existing dwellings will be allowed provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling". The NPPF takes a broader view and infers that that proportionate additions to existing dwellings can be appropriate in principle.

On the basis that the existing single storey rear extension is to be demolished, this will be disregarded for the purposes of the cumulative volume calculation. In the absence of calculations from the agent, staff have calculated that the proposed extension would measure 166m³ - whilst the original house measures 258m³. The proposed extension would therefore represent an increase of 65%.

It is the view of staff however, that whilst the proposed extension would exceed the 50% additional volume outlined in Policy DC45 of the Core Strategy and Development Control Development Plan Document, that the proposed two storey extension would not appear as a disproportionate addition when viewed from the street scene/rear garden environment.

There exists between the host dwelling and the closest unattached neighbour an expanse of some 20 metres from flank wall to flank wall, the properties on the western side of Sunnings Lane having outlook to the rear over uninterrupted rural expanse. The proposed extension, although bringing built form closer to the boundaries of the site would not unacceptably detract from this separation distance and consequently in the opinion of staff would not detract from the open nature of the Green Belt and accords with the principles of the NPPF.

Members will note that an earlier planning application for a side extension was refused planning permission (reference p0039.15). This application retained the single storey rear extension and proposed an overall increase in volume of 109% over and above the original volume of the dwelling and was refused on the grounds it would be a disproportionate addition to the original dwelling.

The proposals have now removed the existing rear extension. Whilst the width of the extension is similar, the depth is now substantially decreased. As a matter of judgement, Staff consider that this reduction in depth overcomes the previous grounds for concern and that the proposal is now acceptable.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed side extension continues accords with guidance set out in the Residential Extensions and Alterations SPD by maintaining the building line of the existing terrace. In addition it would feature a hipped end which replicates the existing building form and balances the existing terraced row adequately. In design terms the proposal is in keeping with the streetscene and is considered to be acceptable subject to the use of matching materials.

IMPACT ON AMENITY

The proposed two storey side extension draws no concerns for the amenity of other neighbouring occupiers. The closest unattached neighbour is some 20 metres to the north.

HIGHWAY / PARKING

Whilst some area of parking would be lost as a consequence of the two storey side extension, sufficient space to the front of the site is available for the parking of vehicles. In addition, the Highway Authority have raised no objections.

KEY ISSUES / CONCLUSIONS

In light of the above and having had regard to all relevant planning policy and material considerations, it is the view of staff the proposed single storey rear extension is acceptable and approval is therefore recommended accordingly.

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. SC10 (Matching materials)

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

3. 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.

4. SC46 (Standard flank window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

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

5. SC65 (Contaminated land condition) (Pre Commencement)

Prior to the commencement of any ground works or development of the site, the following measures are to be taken.

A) Suitable gas protection measures including, but not necessarily limited to, the installation of suitable gas resistant membrane shall be implemented at the new or extended building to the satisfaction of the Local Planning Authority. The details of the design and proposed installation of these measures shall be submitted to and agreed in writing by, the Local Planning Authority prior the commencement of development.

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 to the satisfaction of the Local Planning Authority.

Reason:-

Insufficient information has been submitted regarding the risk of landfill gas. Submission of these details prior to commencement of ground works will ensure that the occupants of the development and property are not subject to any risks from soil gas and/or vapour in accordance with the LDF Core Strategy and Development Control Policies DPD Policy DC53

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. Standard Green Belt Informative

The application property is within the Metropolitan Green Belt where there are restrictions over development. In view of those extensions which have already taken place and/or been granted permission, it should not be assumed that further extensions will be agreed.

REGULATORY SERVICES COMMITTEE

3 December 2015

REPORT

Subject Heading:

P1295.15: Gidea Park Primary School,
White Hart Lane

Landscaping and installation of single
demountable classroom building upon
new extended hard standing playground.
(Application received 8 October 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	[]
Residents will be proud to live in Havering	[X]

SUMMARY

The Council is in receipt of an application for a demountable classroom. The building measures 155m² in Gross Internal Area and contains a classroom, offices and amenities.

The proposed classroom is to accommodate a planned bulge expansion of up to 30 pupils from either Reception Year or Year 1 children. The proposed building will have a flat roof matching the height and design of the other buildings on the site.

The development proposed is considered to be acceptable in all material aspects and it is recommended that planning permission is granted subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions.

1. Temporary building

In respect of the demountable classroom only, this permission shall be for a limited period only expiring on 4 December 2020 on or before which date the demountable classroom shall be removed from the site.

Reason: The temporary nature of the building is such that permanent permission would not be appropriate in the interests of amenity. This permission is therefore granted on a temporary basis to enable the Local Planning Authority to retain control, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

2. Time

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).

3. Accordance with Plans

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

4. 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.

5. 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.

6. Works within the dripline of trees

No works shall take place in relation to any of the development hereby approved until a scheme for the protection of the Oak trees on the site closest to the proposed building 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 the 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 before development commences and kept in place until the approved development is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how the existing 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.

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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. Site Description

- 1.1 The subject site is located on the southern side of Main Road with access also located on Lodge Avenue. The site contains a central cluster of buildings in north-south orientation with playing fields located to the east.
- 1.2 The application site is set well away from the highway by means of a gated entrance and car parking area. It is set a significant distance away from residential buildings which surround the site.

2. Description of Proposal

- 2.1 Permission is sought for a single storey temporary demountable building situated on the south eastern corner of the school premises, representing an additional 155m² of gross internal floor area. The proposal would feature a flat roof and be of a height similar to the other buildings on the site.
- 2.2 The playground area will also be extended.
- 2.3 The proposal will result in a temporary increase of 30 pupils as well as two teaching staff. There are currently 423 pupils and 56 members of staff. The proposal will result in a total of 453 pupils and 58 members of staff. There are currently 25 dedicated staff car parking spaces (out of a total of 29) within the school site. No additional car parking spaces are proposed under this planning application.
- 2.4 The proposal also includes earthworks, landscaping and the removal of a mature Oak tree to accommodate the classroom. It should be noted that there are no Tree Preservation Orders (TPOs) on the site.
- 2.5 The earthworks comprise the following:
 - re-grade the existing site contours to accommodate the proposed classroom and playground area
 - re-contouring the earth bank which will then be retained by stone-filled gabion wall (with a maximum height of 1m)
 - filling in the existing pond

3. History

- 3.1 P0565.14 – Removal and dismantling of existing shipping container and lightweight metal storage shed and construction of replacement brick built storage building – Approved with conditions

P1319.12 – Retention of metal storage container – Approved with conditions

P0517.09 – To erect one temporary office unit – Approved with conditions

P1955.08 – Single/two storey extensions including four classrooms, a small hall and staff/administration area with a new school entrance – Approved with conditions

4. Consultation/Representations

4.1 Neighbour notification letters were sent to 105 neighbouring occupiers. Council has received 97 objections to the proposal.

4.2 Traffic, Engineering & Streetcare – No objections.

4.3 Environmental Health – No objections.

4.4 The objections received relate to the following material planning considerations:

- Inappropriate landscaping
- Insufficient car parking leading to increased congestion and road safety issues
- Increased traffic generation leading to increased congestion and road safety issues
- Insufficient infrastructure
- Out of keeping with the character of the area
- Loss of privacy
- Construction effects
- Increased noise and disturbance

5. Relevant Policy

5.1 Policies DC29, DC32, DC33, DC34, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant.

5.2 Also relevant are London Plan Policies 3.1, 3.18, 6.10, 6.13, 7.3, 7.4 and 7.6 of the London Plan and the National Planning Policy Framework (NPPF).

6. Staff Comments

6.1 The application is being reported to Committee because the applicant is the Council and the proposed scheme has received objections as part of the consultation process.

7. Principle of Development

- 7.1 The issues for Members to consider relate to the impact that the proposed demountable building would have on the character of the locality, and the residential amenity of neighbouring properties together with the impact upon the highway network as a result of pupil and staff expansion.
- 7.2 Policy DC29 of the LDF states that educational premises should be of a suitable quality to meet the needs of residents. The development contained herein creates a new classroom in order to accommodate the increasing demand for schooling in the borough. Therefore the proposal can be considered a necessary expansion in order for the school to continue to cater acceptably to the needs of existing students and thereby the wider community. The proposal is therefore acceptable in principle.
- 7.3 Paragraph 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.

8. Design/Impact on Street/Garden Scene

- 8.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context.
- 8.2 The proposed classroom would be a considerable distance from both Main Road and Lodge Avenue with screening provided by the existing grove of trees.
- 8.3 Its height and roof design would be similar to the existing school building and it is of a design that will not be incongruous with the character of the school.
- 8.4 Furthermore the existing ground level will be lowered by a maximum height of 2.4m to ensure that the building will be on level ground with the surrounding school buildings. The building will also be oriented towards the school and will not be facing any neighbouring dwellings. It is not considered that it would give rise to any harmful visual impact.
- 8.5 The proposal will also involve the removal of a tree and earthworks in order to accommodate the building on the site. It should be noted that there are no TPOs on the trees on the site. While the proposal will involve works within the driplines of the central cluster of trees, a condition will be imposed to ensure that these works will not impact on the health of the trees.

- 8.6 The removal of the tree and earthworks are required to create a level platform to accommodate the classroom as well as the extension to the playground.
- 8.7 The earthworks are required to accommodate the building and create a more suitable platform for the playground. The change in ground levels are not considered to drastically alter the landform and the gabion wall is of a low scale design. Furthermore the gabion wall will be facing into the school and will not be visible from anywhere outside the site. There will not be any adverse visual effects of the proposed earthworks.
- 8.8 It is considered that the proposed addition would, by reason of its design, positioning and scale, safeguard and preserve the character and appearance of the school and surrounding area. The proposal is acceptable and in accordance with Policies DC61 and advice contained within the NPPF.

9. **Impact on Amenity**

- 9.1 Policy DC61 states 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.
- 9.2 While the proposed building will be located away from the existing cluster of buildings on the site and towards the southern boundary. It is considered that there will not be any adverse effects on the residential amenities of neighbouring occupiers as the proposed building will be located 40m from the nearest residential dwelling. Extensive screening is also provided along the site boundaries. The building will also be set lower relative to the ground levels at the boundary giving the building an effective height of 1.1m above ground level as viewed from the boundary. The proposed building will also be oriented towards the existing cluster of buildings on the site and will not be facing any neighbouring dwelling. The proposal would not result in any loss of privacy, outlook, sunlight or daylight to neighbouring properties over and above that which exists presently.
- 9.3 The proposal will result in a 7% increase in the number of students within the site. The proposal will also increase the size of the playground area and moving it closer to the southern boundary. The increase in the size of the playground will not lend to a perceivable increase in the noise levels received by the neighbouring sites. The increase in student numbers represents a small increase relative to the total number of pupils on the site. Any increased noise generated by the additional pupils is likely to be marginal given the number of existing students on the site and is not likely to be perceived by neighbouring sites. Overall, any increase in the noise effects generated by the proposed increase will be negligible.

9.4 It is therefore considered that the proposal would safeguard the amenities of neighbouring properties in accordance Policy DC61 the intentions of the NPPF.

10. Highway/Parking

10.1 The applicant has provided a Transport Statement supporting the proposal. This report makes the following comments:

- The school has good accessibility for pedestrians to nearby residential areas and there are good facilities for pedestrians, particularly crossings at points of conflict
- There are numerous cycle lanes and wayfinding facilities for cyclists in the immediate area surrounding the site
- Whilst access to the site by public transport is considered poor and the site is not easily accessed by the London Underground, there are several regular bus services and a school bus service which serve the site
- The additional vehicle movements related to the development in the vicinity of the site will not have a material impact on the local highway network
- Additional parking demand associated with staff is anticipated to be accommodated on-site and additional demand associated with pupils can be accommodated within the wider highway network and Lodge Farm Park
- Appropriate recommendations have been made to amend the School Travel Plan (including mode shares for pupils and staff, increased cycle and scooter parking and demand management measures) in order to mitigate the effects of this increase

10.2 A significant number of objections have been received which raise concerns regarding the increased demand in on-street parking during the school drop-off and pick up periods. Concerns are also raised at the increase in the traffic generated during the same drop-off and pick up periods.

10.3 The proposal will result in a temporary increase of 30 pupils as well as two teaching staff. There are currently 423 pupils and 56 members of staff. The proposal will result in a total of 453 pupils and 58 members of staff. There are currently 25 dedicated staff car parking spaces (out of a total of 29) within the school site. A total of 30 cycle parking spaces are provided for use by both staff and pupils. No additional car parking spaces are proposed under this planning application. The expansion of the school is anticipated to generate up to 10 pupil car journeys (20 two-way trips) and one car trip from staff.

10.4 The Council's car parking standards requires a maximum of 1No. car parking space per teaching staff. The proposal complies with this standard.

10.5 On street parking measures are currently in place within the locality including:

- Restricted parking along all the junctions and most of the apexes of the bends (in the form of double yellow lines) of the roads to the rear of the school, specifically St Ivians Drive, Tudor Drive and Repton Drive
- The residents parking scheme along this section of Lodge Avenue is in place during the hours of 9:15am – 10am (Monday to Friday).
- The school 'Keep Clear' markings fronting the school in Lodge Avenue have also been updated to apply from 8am – 5pm (Monday to Friday throughout the year)
- A parking review is currently being undertaken by Havering's Streetcare team for the streets surrounding the school to assess whether any further parking restrictions are required in these areas. Public consultation on these measures closed on 7 August 2015. The outcome of the review has yet to be finalised.

10.6 The main conclusions reached by the Transport Statement are:

- While the school is located in a residential area, none of the personal injury accidents in the last three years have involved children during the school peak hours
- The roads in the local area provide on-street parking with road markings in place to deter inappropriate parking that may represent a potential safety issue
- The roads surrounding the school provide a comprehensive network of footways and the school has pedestrian accesses from two gates to the west of the site on Lodge Avenue and to the east of the site on St. Ivians Drive.
- Dedicated cycle lanes are provided directly to the north of the site on Main Road. Dedicated cycle lanes are provided directly to the north of the site on Main Road. There are signed cycle routes through the local area to nearby town centres
- There are bus routes available on Main Road, which are a short walk from the school. While the school has poor accessibility it is noted that there is relatively limited demand for public transport from a primary school. As such this is not considered to be significant issue
- Parking demand was observed to be greater during the afternoon peak than the morning peak
- Parking demand was observed to be greater at the rear access on St. Ivians Drive during the morning peak, and greater on Lodge Avenue during the afternoon peak
- The expansion of the school is expected to generate a negligible increase in vehicular traffic, which is not considered to have an impact on the capacity or operation of junctions in the area
- On-street parking is available in the wider area and park and stride initiatives would reduce the impact of the School on the immediate area around the site

- Additional cycle and scooter parking is required at the site in order to meet the demand anticipated by the expansion. Additional demand may be required as a result of Travel Planning measures and further spaces should be provided through the Travel Plan. With the introduction of additional cycle and scooter parking, 'soft' mitigation measures, and management measures, it is considered that the proposed expansion would be acceptable in transport and highways terms

10.6 It is noted that the Council Highways Department have raised no objections to the proposed development.

10.7 Given the above conclusions, it is considered that the proposal will generate a negligible increase in traffic generated (over and above the current situation). This is not expected to cause any detrimental impact on the local highway network with the additional parking demand accommodated on street. Mitigating measures have been proposed in order to manage this increased demand. It is considered that the relatively minor increase in traffic and parking and the implementation of the mitigating measures to help manage this means that the proposal will not have a prejudicial impact on the road network and will be acceptable in accordance with Policy DC33 and DC34.

11. **Conclusion**

11.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposal would not harm the form and character of the school and surrounding area, the residential amenity of the occupants of neighbouring properties or result in highway issues.

11.2 The application therefore complies with aims and objectives of Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

The application relates to a land which is within the Council's ownership. This does not affect the planning considerations relating to this development. The Council's interests as applicant are considered separately from the Council's role as a Local Planning Authority.

Human Resource Implications:

None.

Equalities and Social Inclusion Implications:

The proposal would provide additional school places for the Borough's residents.

BACKGROUND PAPERS

Application form and drawings received 08-10-2015.

REGULATORY SERVICES COMMITTEE

REPORT

3 December 2015

Subject Heading:

P0911.15 – Beehive Court, Gubbins Lane, Harold Wood

Internal alterations to convert 14 bedsits and 3 flats into 10 one-bedroom flats and 1 two-bedroom flat. Alterations include infilling, partially external lobby entrance area and replacement door. (Application forms and plans received 17/06/15).

Ward:

Brooklands

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

The application is to convert 14 bedsits and 3 flats into 10 one-bedroom flats and 1 two-bedroom flat. Alterations include infilling, a partially external lobby entrance area and replacement door. The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking.

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

RECOMMENDATIONS

That the Committee notes that proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as there is not increase to the existing floor space.

That planning permission be granted 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 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.

3. 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.

4. 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.

5. 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.

6. Noise Levels

The buildings shall be constructed so as to provide sound insulation of 45 DnT,w + Ctr dB (minimum values) 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.

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. In aiming to satisfy condition 6 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).
3. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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. **Site Description**

- 1.1 The application site is located on the corner of Gubbins Lane and Arundel Road.
- 1.2 The site consists of several 1960's built buildings forming a residential sheltered housing accommodation complex consisting of 48 units which is broken down to 34 flats and 14 bedsits over two floors managed by the London Borough of Havering.

2. **Description of Proposal**

- 2.1. The proposal is for the internal conversion of 14 bedsits and 3 flats into 10 no. 1-bedroom flats and 1 no. 2-bedroom flat over two floors. A limited amount of external changes are proposed which includes a partial external lobby area and a replacement door.
- 2.2 The proposed units would remain as sheltered housing.

3. **Relevant History**

- 3.1 None.

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 68 properties and 4 letters of representation were received of which 2 raised an objection regarding the lack of consultation with the existing tenants.

4.2 The following consultation responses have been received:

- Environmental Health - no objection, recommended conditions in relation to noise insulation.
- Highways raised no objection to the proposal

5. Relevant Policies

5.1 National Planning Policy Framework (“the NPPF”)

5.2 Policies: 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 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), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) are relevant.

5.3 Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC35, DC36, DC40, DC49, DC50, DC51, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (“the LDF”) are material considerations.

5.4 In addition, the Residential Design Supplementary Planning Document (“the SPD”), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and Technical Guidance to the Planning Obligations SPD are also material considerations in this case.

6. Staff Comments

6.1 The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, parking and highways issues and other considerations.

6.2 *Principle of Development*

6.2.1 The proposal would only result in the rearrangement of the existing residential use. The use would therefore remain as residential and is 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 not have a significant impact on density as it will result in a reduction of 6 units.
- 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 The proposals have been assessed against the Technical housing standards – nationally described space standards For one-bedroom flats for one person the spacing requirement is set at 39m² and 50m² for two people. For a two-bedroom three person flat the minimum standard is set at 61 square metres.
- 6.3.5 The proposal 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.
- 6.3.6 The proposal would not increase the amount of units on site and therefore there is not a requirement for additional amenity space provision.

6.4 *Design/Impact on Streetscene*

- 6.4.1 The proposal would only involve minor changes to the fenestration at the main entrance by providing a new entrance door and revisions to the existing entrance door. The changes are considered to be acceptable and would not be visible in the streetscene as any views from Gubbins Lane are blocked by an existing brick wall.

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 proposal would not result in an unacceptable impact on neighbouring amenity as the proposed development would involve changes to the existing layout and no significant external additions are proposed.

6.6 *Parking and Highway Issues*

6.6.1 No changes to the current parking or access arrangements are proposed. The proposal would result in a reduction in units and would therefore not have an additional impact on parking requirements.

6.7 *Affordable Housing*

6.7.1 The proposal would not require affordable housing provision as the proposed flats would still form part of Beehive Court and would remain as sheltered accommodation.

6.8 *Mayoral Community Infrastructure Levy*

6.8.1 The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as it would not result in an increase in floor area.

6.9 *Infrastructure Impact of Development*

6.9.1 Staff do not consider a contribution towards education provision to be justified in this case as the proposed development would replace 17 existing units with 11 units .

7. **Conclusion**

7.1 The proposed conversion is acceptable in principle and would result in limited alterations to the external appearance of the building. The conversion would provide a suitably high quality living environment for the enjoyment of future occupiers. There is judged to be no material harm to neighbouring residential amenity arising from the proposal. The proposal is considered to be acceptable in respect of parking and highways issues.

7.2 The proposal is judged to be acceptable, subject to conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

The application site comprises land in the ownership of the Council. This application is however considered solely on the planning merits of the proposals.

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 is for sheltered accommodation, thus contributing to the provision of mixed and balanced communities

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 17/06/15.

REGULATORY SERVICES COMMITTEE

3 December 2015

REPORT

Subject Heading:

P1368.15 – 1 Albyns Close, Rainham

Demolition of existing buildings and erection of 19 dwelling houses with associated amenity, parking and landscaping. Amended building positions of Plot 1-4, 7-9 & 12-14. Inclusive from previously approved planning application number P1034.14. (Application forms and plans received 15/09/15, revised plans received 06/10/15).

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

The application proposes the demolition of two storey residential blocks containing a total of 36 flats and the construction 19 No. single storey dwellings with associated amenity, parking and landscaping. The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking.

It should be noted that this scheme was previously approved at the Regulatory Services Committee meeting of 23rd October 2014. The current scheme is similar to the previous approval with the exception of some changes to the layout.

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

RECOMMENDATIONS

That the Committee notes that proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as the existing floor space to be demolished (1700m²) would exceed the proposed floor space (1375m²).

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

- The provision on site of a minimum of 50% of the units as affordable housing in accordance with the requirements of Policy DC6 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement

That the Head of Service 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 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.

3. Parking Provision

Before any of the dwellings 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 28 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.

4. External Materials

The development hereby permitted shall be constructed with external materials as shown on drawing No's 3790.150 Rev. PL3, 3790.160 Rev. PL3, 3790.170 Rev. PL3, 3790.602 Rev. PL2 and specified within the External Material & Boundary Treatment Samples document dated September 2015.

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

5. Landscaping

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.

6. Cycle storage

The development hereby permitted shall be constructed in accordance with the details of cycle storage as specified within the Design and Access Statement as well as shown in the External Material & Boundary Treatment Samples document dated September 2015 and on drawing 3790.602 Rev. PL2

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

7. Refuse/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. 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. 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.

10. Highway Agreements: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be completed prior to the commencement of the development.

Reason: Insufficient information has been submitted in respect of the highway alterations. Submission of this detail prior to commencement will ensure good design and public safety and comply with Policies CP10, CP15, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

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 Risk and Contamination Assessment, Part 1

(1) 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 the 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 (Remediation Strategy) Report if 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.

d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) 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 relating to land contamination has been submitted with the application. Submission of this information prior to commencement will protect those engaged in construction and occupation of the development from potential contamination and ensure that the development accords with Development Control Policies Development Plan Document Policy DC53.

13. Risk and Contamination Assessment, Part 2

(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.

14. Boundary treatment:

The development hereby permitted shall be constructed in accordance with the details of Boundary treatment as specified within the External Material & Boundary Treatment Samples document dated September 2015 and on drawing 3790.602 Rev. PL2

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

15 External lighting

Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: 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.

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.

17. Sustainability Statement

No development shall take place until an Energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement is required

to demonstrate that the development will meet the 'Minimum Improvement on 2013 Building Regulations of 35 per cent'

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the Core Strategy and Development Control Policies DPD and Policy 5.2 of the London Plan 2011

18. Accessible and Adaptable Dwellings

At least two 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 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.

19. Permitted Development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

20. Vehicle Parking Arrangements

No development shall take place until a scheme detailing the proposed allocation of parking spaces has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved scheme and retained as such for the life of the development.

Reason: In the interests of protecting the amenities of the future occupiers of ground floor flats located in close proximity to parking spaces, and in accordance with Policy DC61 of the Development Control Policies Development Plan Document.

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. 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. The developer, their representatives and contractors are advised that planning permission 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.
4. The applicant 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.
5. 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.
6. In aiming to satisfy condition 11 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).
7. 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.

8. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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. Site Description

- 1.1 The application site is located on the south-eastern side of South End Road close to the junction with Princes Park.
- 1.2 The site was previously occupied by a car park and a group of two storey blocks containing a total of 36 flats dating from the mid 1960's. These buildings have been vacant since 2012 and have now been demolished.
- 1.3 To the west the site has a frontage onto South End Road and it also shares boundaries with St John's and St Matthew's Church to the south, a council owned housing estate to the east and two storey family homes to the north.
- 1.4 The local context is primarily residential, with the exception being St John's and St Matthew's Church to the south. Many of the neighbouring properties are two storey semi-detached or terraced houses with traditional front and back gardens. These houses date from the mid Twentieth Century and are not of any special architectural merit. The block of flats immediately to the east of the site are four storeys in height and are from the same era as the existing buildings on the site.

2. Description of Proposal

- 2.1. Overall the proposed development provides 19 new homes in the form of two bedroom dwellings, 16 of which are single storey and 3 of which have a bedroom within the roof space.
- 2.2 All new homes have an individual entrance at ground floor level, as well as amenity in the form of front and back gardens and recessed private patios.
- 2.3 Each house has its own refuse storage and an allocated parking space, either adjacent to the property or very close by. The overall number of parking spaces is 28 across the development, which equates to 1.5 parking spaces per new dwelling.

- 2.4 The proposed residential development would be divided into 50% affordable and 50% shared ownership.
- 2.5 All homes are designed with reference to ensure they are adaptable to the future needs of the residents.
- 2.6 The six properties fronting onto South End Road can be serviced in the same way as the existing neighbouring houses. Similarly, the five properties adjacent to the existing car park to the east can make use of the existing refuse collection facilities for the block of flats to the east, namely from Mermagen Drive. The remaining eight properties that sit away from either of these roads will be serviced via the new access road which runs east-west across the site from South End Road.
- 2.7 Every new property has its own on-plot external storage facility for both general waste and recycling. There are three communal waste storage points for use on collection days.
- 2.8 All points of each new property are within 45m of a fire service pump appliance vehicle, either from South End Road, Mermagen Drive or the new east-west access road across the site.

3. Relevant History

- 3.1 P1034.14 - Demolition of existing buildings and erection of 19 dwelling houses with associated amenity, parking and landscaping - Approved with conditions
- 3.2 P0479.14 - Redevelopment of Albyns Close - Demolition of existing dilapidated and unused blocks of flats to provide 18 new bungalows with associated parking spaces, landscaping and boundary treatments - Withdrawn.

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 16 properties and no letters of objection were received.
- 4.2 The following consultation responses have been received:
 - Environmental Health - no objection, recommended conditions in relation to contamination and noise insulation.
 - Highways - no objection in principle, requested various conditions in the event of an approval

5. Relevant Policies

- 5.1 National Planning Policy Framework ("the NPPF")

- 5.2 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), 5.12 (flood risk management), 5.13 (sustainable drainage), 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) are relevant.
- 5.3 Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC35, DC36, DC40, DC49, DC50, DC51, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (“the LDF”) are material considerations.
- 5.4 In addition, the Residential Design Supplementary Planning Document (“the SPD”), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and the Technical Appendices of the Planning Obligations SPD are also material considerations in this case.

6. Staff Comments

- 6.1 The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, affordable housing, parking and highways issues and other considerations.

6.2 Background

- 6.2.1 The current application is a resubmission of a similar scheme previously approved by the Regulatory Services Committee on 23 October 2014. Revisions were required as it was discovered that the original application could not be implemented due to existing services on site. The current application differs from the previous submission as follows:

- The layout has changed in that the development has been moved further off the south-western boundary which has resulted in a slight amendment to the parking layout and communal storage.

- Minor amendments have also been made to the elevations of the various dwellings styles which include the addition of gutters, slight change in roof angles and a redesign of the front dormers to units 17, 18 and 19.

6.3 *Principle of Development*

6.3.1 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a previously developed site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and Policy 3.3 of the London Plan which seeks to increase London's housing supply.

6.4 *Design Considerations*

6.4.1 Policy DC2 of the LDF stipulates the appropriate residential densities in given areas of the borough. 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 SPD contains guidance in relation to the design of residential development.

6.4.2 The application site has an area of approximately 0.5 hectares and the proposal is for 19 units, giving a development density of approximately 38 units per hectare which is within the density range of 30-50 units per hectare set out in Policy DC2 for a location such as this one.

6.4.3 The site is located within a predominantly residential area with the exception being St John's and St Matthew's Church to the south. To the west the site has a frontage onto South End Road and it also shares boundaries with a housing estate to the east and two storey family homes to the north. Many of the neighbouring properties are two storey semi-detached or terraced houses with traditional front and back gardens. The site was previously currently occupied by a group of two storey blocks containing a total of 36 flats dating from the mid 1960's which have been vacant since 2012. Officers consider the proposed scheme to improve the existing site and make a positive contribution to the surrounding area.

6.4.4 The application proposes the use of grey brick as the main external material, along with a black stock brick as shown on the submitted drawings and within the External Material & Boundary Treatment Samples document. Staff consider the material to be acceptable.

6.4.5 The scale and massing of the proposal is considered to be broadly in keeping with the character of the wider area, particularly given the existing, two-storey residential development situated to the north. The proposed residential development would also be significantly lower than the church buildings to the south and flatted development to the east.

6.4.6 A non-specific landscaping proposal has been submitted with the application indicating an acceptable mix of hard and soft landscaping throughout the site. It is recommended that a planning condition be imposed requiring the submission of a detailed landscaping scheme.

6.3.7 Bicycle, refuse and recycling storage would be contained within the individual properties at ground level, and these details are considered to be acceptable.

6.3.8 Given the nature of the proposal, including its appearance, layout, scale, massing and design in relation to the surrounding area and within the proposed development itself, it is considered that the proposal would have an acceptable impact on the character of the area, and that it would therefore be in accordance with Policy DC61 of the LDF and Policy 7.4 of the London Plan.

6.4 *Site Layout and Amenity Considerations*

6.4.1 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. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.

6.4.2 It should be noted that no objections relating to potential impact on neighbouring amenity were received.

6.4.3 The development proposes a mix of house types, including 2- bedroom 3-person and 2-bedroom 4-person dwellings. This complies with the aims of Policy DC2 in respect of dwelling mix. 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. The Technical housing standards document requires that new residential development conform to minimum internal space standards set out in the plan. In this instance the proposed dwellings would each exceed the stipulated minimum standards and officers therefore consider that the proposal would provide an acceptable standard of living accommodation for future occupiers.

6.4.4 In relation to amenity space provision, the Council's Residential Design SPD does not prescribe amenity space standards but rather seeks to ensure that amenity space is provided in a high quality, functional and well-designed manner. Amenity space should also be private and not unreasonably overshadowed. The proposed development would provide a mixture of inset patios and front and rear gardens. Staff consider the amenity space area proposed would provide an adequate useable amenity space for residents, which would not compromise the living conditions of adjoining residents and accords with the aims of the SPD.

6.4.5 In terms of the overall layout, the developer used the 'Green Fingers' option which is an approach that looks at the creation of smaller, more usable shared amenity. The relationship between the terraces was a key driver in developing the scheme as the potential for interaction and communication was seen as an important factor for the specific target and users, namely

older residents. The boundary treatment between the private amenity and the Home Zone comprise of low brick walls topped with a mix of open railings and more enclosed timber fencing to break up the scale and allow a balance between privacy and natural surveillance. Although the proposal may seem cramped in its overall layout, Staff consider it acceptable given the approach to promote interaction between residents and the emphasis on pedestrians rather than vehicle movement.

- 6.4.6 In terms of how the proposed dwellings relate to one another, it is considered that they would not result in any unacceptable levels of overlooking, overshadowing, or outlook, primarily due to their single storey (with the exception of plots 17-19) nature and back to front distances. It is considered that the proposed development could, subject to conditions, provide an adequate level of amenity for the future occupiers of the development. Although there may be some concern about the relationship between the flatted block to the east and properties 13 and 14 and the potential for overlooking from the upper floors of the block of flats, Staff consider the separation distance to the most private patio areas of approximately 24m to be acceptable. A 2m high boundary fence is also proposed to the rear of these gardens to create a suitably enclosed amenity area. It should also be noted that future residents would be aware of the situation prior to occupation of the new dwellings.
- 6.4.7 In relation to the impact the proposal would have on existing, neighbouring occupiers, the main impact of the proposal would be upon those occupiers located to the north of the development site. The proposed development is not considered to have an unacceptable impact in terms of loss of amenity to these occupiers given the single storey design and the distance of 1m offset from the boundary. The relationship also is not considered significantly different compared to that of the current development of the site with neighbouring houses. With regard to the loft accommodation proposed to units 17-19, no overlooking would result to the rear of the neighbouring properties along South End Road as only rooflights are proposed to the western elevations of these proposed dwellings. Dwellings to plots 17-19 are set approximately 10.5m from the boundary with the houses to the rear with a back to back distance of 19.2m. On balance, this is considered sufficient to maintain residential amenity. The relationship between unit 19 and no. 16 Mermagen Drive is also considered acceptable given the 3m deep projection beyond the rear building line of no. 16 and the separation distance of 3.5m between the dwellings. A construction method statement will be required as part of a planning condition to ensure that the impacts on neighbours during construction works are kept to a minimum.
- 6.4.8 Officers consider that in terms of the standard of accommodation and amenity space to be provided, and the amenity of existing neighbouring occupiers, , that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.

6.5 *Environmental Impact*

6.5.1 The Council's Environmental Health officers were consulted about the application with no objections being raised. Conditions have been recommended in relation to land contamination, construction management and limitations to construction times. It is recommended that these be employed should planning permission be granted.

6.6 *Parking and Highway Issues*

6.6.1 A new vehicle access from South End Road with a new cross-over will be provided. It is judged that this would help to relieve pressure on the residential roads around the site, in particular Mermagen Road and will give the new development a clear entrance and identity.

6.6.2 All new homes are provided with a parking space adjacent to either the front or the rear of each property. In addition there will be parking provision for visitors. The overall number of parking spaces is 28 across the development, which equates to 1.5 parking spaces per new dwelling. A condition is however recommended to show how the parking would be allocated to residents. Cycle storage would also be provided.

6.6.3 The site has a PTAL rating of 1-2, which translates to a lower level of public transport accessibility. The proposed level of parking provision of 1.5 complies with the 1.5-2 spaces required in accordance with Policy DC2 of the LDF.

6.6.4 Council's Highway officers have raised no objections, subject to the use of conditions and informatives, which can be imposed should planning permission be granted.

6.6.5 It is recommended that conditions be imposed relating to wheel washing facilities to prevent the deposition of mud onto the public highway during construction works. It is also recommended that a condition be imposed requiring the submission to and approval by the Local Planning Authority of a construction method statement detailing the areas where construction vehicles and plant will be parked.

6.6.6 Subject to the use of the aforementioned conditions, the proposal is considered to be acceptable in respect of parking and highway safety issues and in accordance with Policies DC32, DC33 and DC34 of the LDF.

6.7 *Affordable Housing*

6.7.1 The proposal results in development for which an affordable housing provision is required in accordance with the National Planning Policy Framework and the London Plan. Policies CP2 and DC6 set out a borough wide target of 50% of all new homes built in the borough to be affordable. The site is to be developed by the Council's Housing Service and it is advised that 100% of the units on the site will be provided as affordable

housing. This is in excess of policy requirements and is considered to be acceptable. The provision of affordable housing will be secured through a legal agreement.

6.8 *Mayoral Community Infrastructure Levy*

6.8.1 The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as the existing floor space to be demolished (1700m²) would exceed the proposed floor space (1375m²).

6.9 *Infrastructure Impact of Development*

6.9.1 Staff do not consider a planning obligation contribution to be justified in this case as the proposed development would replace 36 existing units.

6.10 *Other Considerations*

6.10.1 The Metropolitan Police Designing Out Crime Officer has recommended a condition requiring the submission of details relating to the way in which "Secured by Design" standards will be achieved, accompanied by an informative. In the interests of designing out crime, this condition and informative will be imposed should planning permission be granted.

6.10.2 As with the previous application, the proposals should be designed to current standards of accessibility and adaptability. This can be secured through a planning condition requiring compliance with the relevant Building Regulation standard

7. Conclusion

7.1 The proposed residential development is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment for the enjoyment of future occupiers. There is judged to be no material harm to neighbouring residential amenity arising from the proposal and the application makes acceptable provision for the retention and replacement of landscaping and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.

7.2 The proposal makes provision for affordable housing in excess of the LDF policy requirements. The proposal is judged to be acceptable, subject to conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

The application site comprises land in the ownership of the Council. This application is however considered solely on the planning merits of the proposals.

Legal resources will be required for future work relating to the completion of a 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 types, which are proposed as affordable housing and all wheelchair accessible, thus contributing to the provision of mixed and balanced communities

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 01/08/14 (revised plan received 15/09/15, revised plans received 06/10/15).

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REGULATORY SERVICES COMMITTEE

3 December 2015

REPORT

Subject Heading:

P0821.15: Crownfield Junior School,
White Hart Lane

Single storey extension to enlarge existing
administration office and provide
additional teaching space and associated
internal alterations (Application received
11 September 2015).

Ward

Mawneys

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	<input checked="" type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

SUMMARY

The Council is in receipt of an application seeking permission for an infill extension to the existing office administration building located in the northeasternmost corner of the existing cluster of buildings. The extension will create an additional 70m² of Gross Internal Area. The proposed extension would not result in an increase in pupils or teaching staff and will be utilised as an enlarged administration office and additional teaching spaces for existing students and staff. The proposed extension will have a flat roof matching the height of the host building.

The development proposed is considered to be acceptable in all material aspects and it is recommended that planning permission is granted subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions.

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. Materials

All new external finishes shall be carried out in materials to match those of the existing building, namely brickwork and matching windows and doors, to the satisfaction of the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

3. Accordance with Plans

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

4. 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.

5. Contaminated Land (During Development)

- 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.

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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. Site Description

- 1.1 The subject site lies to the east of White Hart Lane. The site consists of an Infant School to the north of the site and Junior School to the south of the site. To the centre of the site and between the two schools is a large playing field. The site is surrounded by open fields and residential properties to the south, open fields to the west, allotments and residential properties to the north and White Hart Lane to the east.
- 1.2 The application site is set well away from the highway by means of a gated entrance and car parking area. It is set a significant distance away from nearby residential properties.

2. Description of Proposal

- 2.1 Permission is sought for a single storey infill extension to the existing administration building situated on the south eastern corner of the school premises, representing an additional 70m² of gross internal floor area.
- 2.2 The proposal would feature a flat roof and be of a matching height to the host building.
- 2.3 The proposal will not result in an increase of pupil or staff numbers into the school and will provide additional teaching support space for the school as well as creating a new and more secure main entrance.
- 2.4 The proposal involves the removal of a tree located within the area of works.

3. History

- 3.1 P0295.06 – Staff room extension - Approved with conditions
P0932.04 – Car parking for 24 cars – Approved with conditions

4. Consultation/Representations

- 4.1 Neighbour notification letters were sent to 27 neighbouring occupiers. No submissions in opposition were received.

4.2 Traffic, Engineering & Streetcare – No objections.

4.3 Environmental Health – No objections.

5. **Relevant Policy**

5.1 Policies DC29, DC32, DC33, DC45, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant.

5.2 Also relevant are London Plan Policies 3.1, 3.18, 7.3, 7.4, 7.6 and 7.16 of the London Plan and the National Planning Policy Framework (NPPF)

6. **Staff Comments**

6.1 The application is being reported to Committee because the applicant is the Council and the development is located in the Green Belt. The issues for Staff to consider relate to the impact that the proposed extension would have on the character of the original building, locality, amenity of neighbouring properties and the function and characteristics of the Green Belt

7. **Principle of Development**

7.1 Policy DC29 of the LDF states that educational premises should be of a suitable quality to meet the needs of residents. The development contained herein creates a new and more secure main entrance, an enlarged administration office and additional teaching areas. The proposal itself does not increase the number of students or teaching staff. Therefore the proposal can be considered a necessary expansion in order for the school to continue to cater acceptably to the needs of existing students and thereby the wider community. The proposal is therefore acceptable in principle.

8. **Green Belt**

8.1 The school is located within the Green Belt. Policy DC45 of Havering's Core Strategy and Development Control Policies DPD does not provide explicit provisions for schools while the London Plan refers to the policies within the NPPF. The Green Belt policies in the NPPF make a number of exceptions for new buildings in the Green Belt, one of them being that the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

8.2 The school has not been subject to any substantial extensions since it was first granted planning permission in 1953. The original school's building footprints total approximately 1,900m² in area.

- 8.3 A major addition to the building was the shed to the south west which totals 120m² in area.
- 8.4 The proposal adds another 70m² to the building footprint.
- 8.5 The total additions to the building represent approximately 10% of the size of the original building.
- 8.5 Staff consider that the proposed extension, with regard to the cumulative additions to the building, represents a minor increase in the overall size of the development on the site (relative to the original building). It is therefore considered that the proposed extension (and previous additions) will not cumulatively result in disproportionate additions over and above the size of the original building. The proposed development is therefore considered to be appropriate in the Green Belt.

9. **Design/Impact on Street/Garden Scene**

- 9.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context.
- 9.2 Given that its height and roof design would match the existing school building and it would not project further than the existing eastern flank wall, the proposal would appear as a subordinate feature and would integrate acceptably with the form of the original school building.
- 9.3 The proposed extension will be screened from the adjoining residential sites to the south-east by existing building and will not be visible. Notwithstanding this the scale of the proposal, with similar overall height and roof design to the existing school building it is not considered that it would give rise to any substantial visual impact on these neighbouring premises.
- 9.4 It is considered that the proposed infill extension would, by reason of its design, positioning and scale, safeguard and preserve the character and appearance of the school and surrounding area. The proposal is acceptable and in accordance with Policies DC61 and advice contained within the NPPF.

10. **Impact on Amenity**

- 10.1 Policy DC61 states 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.
- 10.2 The proposed infill extension would be subordinate in scale and positioned within the existing building envelope of the school. The extension will have

an outlook into the school premises and would not appear as an obtrusive or visually harmful feature by reason of its modest scale and satisfactory integration into the envelope of the host building. The proposed building will be located 50m from the nearest residential building. The proposal would not result in any loss of privacy, outlook, sunlight or daylight to neighbouring properties over and above that which exists presently.

- 10.3 It is therefore considered that the proposal would safeguard the amenities of neighbouring properties in accordance Policy DC61 the intentions of the NPPF.

11. Highway/Parking

- 11.1 Streetcare have raised no objections to the proposed development. There will not be any increase in staff number or pupils as part of this proposal and no additional car parking spaces are required. Therefore it is considered acceptable in parking standards terms and in accordance with Policy DC33.

12. Other Issues

- 12.1 The proposal involves the removal of a tree which is located within the area of proposed works. The tree is not subject to a Tree Protection Order (TPO) and is not considered to be a notable tree. The removal of the tree is not considered to cause detriment to the surrounding environment.

13. Conclusion

- 12.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposal would not harm the form and character of the school and surrounding area, the residential amenity of the occupants of neighbouring properties or result in highway issues.
- 13.2 Staff consider that the proposed extension will not result in disproportionate additions over and above the size of the original building. As such the proposed development is considered to be appropriate in the Green Belt. It is acknowledged however that this is a matter for judgement for Members.
- 13.3 The application therefore complies with aims and objectives of Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

The application relates to a land which is within the Council's ownership. This does not affect the planning considerations relating to this development. The Council's interests as applicant are considered separately from the Council's role as a Local Planning Authority.

Human Resource Implications:

None.

Equalities and Social Inclusion Implications:

None.

BACKGROUND PAPERS

Application form and drawings received 11-09-2015.

REGULATORY SERVICES COMMITTEE

3 December 2015

REPORT

Subject Heading:

P0954.15: Training Ground & Sports Stadium, Rush Green Road, Romford

Alterations and extensions to the existing buildings on the site including remodelling of the club building and extension of canopy over stands; erection of new offices, groundsman's building, gatekeeper lodge and irrigation tank; extension to hardstanding. (Application received 24 July 2015)

Ward:

Havering Park

Report Author and contact details:

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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 alterations and extensions to the existing buildings on the site, including the remodelling of the club building and the extension of the existing canopy over the east terrace. The proposal also involves the erection of a detached groundsman's building and irrigation tank to the north of the site and a detached gatekeeper lodge to the south.

The application raises considerations in relation to the principle of the development, including the impact on the Green Belt and the visual impact of the development on the character and openness of the Green Belt. Additional considerations include the impact on the amenity of the neighbouring residents as well as the suitability of the proposed parking and access arrangements.

Staff consider that the proposed development raises matters of judgement. 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.

RECOMMENDATIONS

That the Committee notes that proposed development will be liable for a payment of £2369.00 (subject to indexation) under the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

That the Head of Regulatory Services be authorised to 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. Restriction of Use

The groundsman's building hereby permitted shall be used in conjunction with the main use of the site as a sports ground for the storage of grounds maintenance related equipment with ancillary welfare facilities only and shall be used for no other purpose(s) whatsoever.

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 LDF Development Control Policies Development Plan Document Policy DC61.

6. 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

7. 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.

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. 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.

10. 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.

11. Cycle Storage

The development shall not be commenced until details of cycle storage are submitted to and approved in writing by the Local Planning Authority. The details, location and number of cycle parking spaces for both long-stay (for staff) and short-stay use (for spectators) should be clarified and provision should be in accordance with the London Plan (2015) Table 6.3. 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 commencement is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

12 External Lighting

No building shall be occupied or use commenced until details of any external lighting to the groundsman's building has been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

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.

13. Flood Lighting

No additional or replacement floodlighting will be installed without the prior written consent of the Local Planning Authority.

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

14. Refuse and Recycling

The development shall not be commenced until details of refuse and recycling storage are 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 commencement 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.

15. Demolition of Existing Groundsman's Store

The existing groundsman's store building shall be demolished prior to the first use of the new groundsman's building.

Reason: To minimise the overall development impact on the openness of the Green Belt, in accordance with Policy DC45 and the National Planning Policy Framework.

16. New Plant or Machinery

Before any works commence a scheme for any new plant or machinery shall be submitted to 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 premises, shall not exceed LA90-10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

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.

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 Matthew Taylor. The revisions involved alterations to the location of the proposed board room. The amendments were subsequently submitted on 30 September 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 £2369.00 (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.
3. The applicant is advised that a water main crosses the application site and that further information in this respect should be obtained from Essex & Suffolk Water prior to works commencing.
4. The applicant is advised that a high pressure gas main crosses the application site and that further information in this respect should be obtained from the National Grid prior to works commencing.
5. The applicant is advised that an additional fire hydrant will be required within the site to service the development. Further information in this respect should be obtained from the London Fire Brigade on 020 8555 1200.
6. The applicant is advised that the extended roadway to the groundsman's building must be capable of supporting a 14 tonne pump appliance with adequate turning facilities. Further information in this respect should be obtained from the London Fire and Emergency Planning Authority on 020 8555 1200
7. 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 Training Ground & Sports Stadium at Rush Green Road, Romford. The site is situated on the northern side of Rush Green Road and has an overall area of 11.2 hectares.
- 1.2 The site was formerly used as a private sports ground by Ford United Football Club. Since 2009 it has been owned by West Ham United Football Club, who use it for youth and reserve team training. For a temporary period the facilities were also used by Grays Athletic Football Club, who have since moved to a ground share arrangement with Aveley Football Club.
- 1.3 There are a range of buildings on the site which are used as facilities for the club. The buildings on the site include a covered spectator stand capable of seating 400 people, with a single storey club house building connected to this that forms the associated changing facilities, gym and fitness suites, kitchen and catering facilities, and offices. There is also a small groundsman's store building located adjacent to the northern boundary of the site.
- 1.4 Immediately surrounding the main club house building is a general circulation area, with access routes to the rear, along with a raised seating area and some ancillary parking for deliveries.
- 1.5 There are a number football pitches on the site comprising five training pitches and the main pitch along with accompanying spectator areas. The training pitches are situated on a large open area to the west of the site, whilst the main pitch has fencing on three sides with the large spectator stand to the west and a partially covered standing terrace to the east.
- 1.6 The site is accessed from the A124 (Rush Green Road) that forms the southern boundary. A large parking area is immediately adjacent to the access with approximately 160 parking spaces available. To the east and south of the site, the site is bounded by housing. The land to the north of the site forms part the Crowlands Heath Golf Course. To the west is a Cadet Training Centre and Wood Lane Sports Centre. A Public Right of Way (no. 151) runs parallel to the eastern and northern site boundary. The application site is within the Metropolitan Green Belt.

2. Description of Proposal

- 2.1 The application is seeking planning permission for alterations and extensions to the existing buildings on the site, including; remodelling of the club building and extension of canopy over stands; erection of new offices,

groundsman's building, gatekeeper lodge and irrigation tank, and an extension to the hardstanding adjacent to the main club house.

- 2.2 This application follows the approval of planning permission P1614.09 in February 2010, which was for a similar proposal. The previously approved scheme comprised external alterations to the existing sports club building and the erection of new grounds man's building, the provision of bunding on the northern and western boundaries, a new security office at the entrance to the site and the provision of ballstop fencing around pitches. This permission lapsed in February 2013. It should be noted that the current application does not include the provision of bunding or ball stop fencing.
- 2.3 The proposed groundsman's building would be located towards the northern site boundary and would measure 30.9 metres in width by 22.6 metres in depth. The main section of the building would incorporate a flat roof design with a height of 5.46 metres. The building will also include a subservient side section to the west elevation with a lower set mono-pitched roof rising from 3.45 metres to 4.32 metres in height. The existing groundsman's building would be demolished. No details of the external materials have been provided, however under the previously approved application the external walls and roof of the building were to be finished with metal cladding coloured olive green. The windows and doors to the building would be powder coated aluminium also coloured olive green.
- 2.4 Adjacent to the groundsman's building an irrigation storage tank is proposed to provide the water required to maintain the on-site pitches, an open wash-down area to clean the equipment and a rainwater harvesting tank to store the run-off from the groundsman's building that would be re-used on site. The proposed irrigation tank would measure 12 metres in width with a maximum height of 3.1 metres.
- 2.5 A new access track to the west of the existing sports club building is also proposed to give a vehicular access to the groundsman's building. The access track would be 4 metres in width and have an overall length of approximately 94 metres.
- 2.6 The proposal would involve the internal reconfiguration of the existing single storey building attached to the rear of the main stand. The building currently provides a variety of amenities including changing rooms, a gym/ fitness suite, treatment rooms, offices and catering facilities. As part of the internal alterations the building would be extended to the north at single storey level to provide a new treatment area, hydrotherapy pool and plant room as well as a boardroom and office to allow meetings to be held on site. The extensions would provide approximately 1,825 cubic metres of additional volume which equates to around a 35% increase in comparison to the existing building.
- 2.7 As part of the renovation and extension works the external elevations of the building would be re-clad using a mixture of club colours, glazing and timber cladding.

- 2.8 The existing canopy structure above the eastern standing terrace for the main pitch would be extended by approximately 5 metres on each side.
- 2.9 At the entrance to the site it is proposed to erect a security office to ensure that only club personnel are allowed into the site. This would be a small portacabin style building that would have an area to manage visitors to the site and a small area for rest breaks.

3. Relevant History

- 3.1 P0230.15 - The retention of a temporary Portakabin modular building following the proposed relocation to an alternative area within the site boundaries. The building will continue to be used as classroom facilities, to be hired from Portakabin Ltd for a period of 5 years – Approved 27 May 2015
- 3.2 P1614.09 - Erection of new groundsman's building. Bunding on the northern and western boundaries. New security office at entrance to the site. Reconfiguration and minor external alterations to the existing sports club building. Provision of ballstop fencing around pitches – Approved 5 February 2010

4. Consultations/Representations

- 4.1 Notification letters were sent to 63 properties and 1 representation has been received. The comments can be summarised as follows:
- The application provides a chance for the local authority to enter negotiations with West Ham United in order to ensure opportunities for local schools to benefit from the development; such as access to first team training sessions, school visits to the ground and rewards for pupils achieving excellence in educational attainment.
 - Giving the local community access to Premiership football players, training facilities, ground maintenance staff and working environments could be of great benefit to young people in Havering and local residents.
- 4.2 In response to the above: a variety of community initiatives and activities that West Ham United Football Club are currently involved in within Havering, as well as potential programmes to be implemented in the future, are detailed in the following sections of this report.
- 4.3 The following consultation responses have been received:
- Essex & Suffolk Water - the applicant is required to undertake further consultation in order to trace and mark the route of a water trunk main and easement which runs through the site.

- London Fire Brigade Water Team - no objection, the applicant will be required to install 1no. private fire hydrant.
- London Fire and Emergency Planning Authority - no objection, subject to the extended roadway being capable of supporting a 14 tonne pump appliance with adequate turning facilities.
- Designing Out Crime Officer - no objection.
- Greater London Authority (GLA) - no objection.
- Transport for London (TfL) - no objection.
- Environmental Health - no objection, recommended conditions relating to contaminated land and new plant and machinery.
- Local Highway Authority - no objection, recommended a condition relating to vehicle cleansing.

5. Relevant Policies

- 5.1 CP14 (Green Belt), CP17 (Design), DC18 (Protection of Sports and Leisure Facilities), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC45 (Green Belt), DC51 (Water Supply, Drainage and Quality) DC53 (Contaminated Land), DC55 (Noise), DC58 (Biodiversity), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Policies 3.19 (sport facilities), 5.3 (sustainable design and construction), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), 7.16 (Green Belt) and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 7 (Requiring good design), 8 (Promoting healthy communities) and 9 (Protecting Green Belt land) are relevant to these proposals.

6. Staff Comments

- 6.1 This application is put before Members as the proposal has a number of judgements in respect of Green Belt policy. The main issues in this case are considered to be the principle of the development, including the impact on the Green Belt; the visual impact of the development on the character and openness of the Green Belt and the general landscape; impact on the amenity of adjoining residential occupiers and highways/parking issues.

Principle of Development

- 6.2 The applicant (West Ham United Football Club) took over the former Ford United Football Club ground in 2009 to use it for youth and reserve team training and games. The former use of the site by Ford United Football Club came under Class D2 of the Use Classes Order; the use of the site by West Ham United also falls under the same use class therefore no planning permission is required for a change of use.
- 6.3 The application site is designated as being within the Metropolitan Green Belt where Government guidance and local planning policy encourages specified uses which have a positive role in fulfilling Green Belt objectives. The occupation of the site by West Ham United ensures that the site continues to be used to provide opportunities for outdoor sport and outdoor recreation in a manner that supports Green Belt objectives.

Green Belt Implications

- 6.4 The National Planning Policy Framework (NPPF) attaches great weight to Green Belts in preventing urban sprawl by keeping land permanently open. In addition the NPPF sets out five purposes of the Green Belt, which includes to check the unrestricted sprawl of large built up areas and to safeguard the countryside from encroachment. As with previous Green Belt policy, the NPPF advises that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.5 The NPPF sets out forms of development that are deemed to be appropriate within the Green Belt and states that construction of new buildings should be regarded as inappropriate development. A given exception to this is the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 6.6 The proposed extension to the existing canopy structure above the eastern standing terrace would result in an increase the length of the existing structure by approximately 5 metres on each side. Nevertheless, the applicant has provided supporting evidence which states that it is a requirement of the League to be able to accommodate 500 spectators under cover. As such the extension is considered to be an appropriate facility for outdoor sport. On balance it is considered that the partial addition to the stand enclosure would result in a minimal impact on the openness of the Green Belt and would be of a scale that could reasonably be expected for a professional football club of this nature. Furthermore, the proposed redevelopment is for ancillary facilities associated with the Football Club on previously developed land.

- 6.7 It is considered that the other key elements of the proposal, specifically the new groundsman's building and associated irrigation plant enclosure and tank and hardstanding, the gatekeepers lodge and the extensions to the main club house building would be disproportionate. As such they would result in an adverse impact on the openness of the Green Belt and are in effect inappropriate. Therefore very special circumstances should exist that justify the development.
- 6.8 It is for the applicant to show why planning permission should be granted and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF, paragraph 88).
- 6.9 The proposal is for West Ham United Football Club to use the site as their main training centre for the first team squad, along with holding reserve team games in the stadium and using the existing stand and terracing for supporters. West Ham United currently train at a facility in Chadwell Heath, however, this is a shared facility with the youth teams and first team. The applicant's supporting statement advises that this causes the club logistical problems due to the constant changes in the requirements of the various levels of training facilities used to service all of the parties. Under the proposal the Rush Green Road site would solely be used by the first team and the youth teams would continue to be based at Chadwell Heath and another facility at Little Heath.
- 6.10 The supporting statement contends that the main aim of the alterations and extensions to the existing building on the site is to provide the required facilities internally that are necessary for a Premier League football team, to improve the external appearance of the building and to use the West Ham United colours to imbue the club's identity at the site.
- 6.11 The training ground would include six high quality pitches, including the pitch within the stadium area, that are the same standard and size of the pitch used by the first team. This is to improve the quality of training provided to the players and to ensure that all their training mirrors the conditions they will encounter in a first-team game. All the pitches will be irrigated and maintained to Premier League standards, including the composition of the soil and grass.
- 6.12 Given the nature of how much time and work, on a daily basis, will be required to maintain the six pitches at the site, the applicant has advised that the existing groundsman's building is not sufficient to meet the needs of the staff and to house the necessary equipment. Therefore it is proposed to demolish the existing building and to construct a new groundsman's building that can accommodate all the equipment required to maintain the pitches to the appropriate standards.
- 6.13 The applicant's supporting statement advises that the size of the proposed groundsman's building has been dictated by the space required to house the

necessary equipment to maintain the pitches. Indeed the submitted floor plan is annotated to show which pieces of equipment would be sited in each area of the building. Part of the building would include an administration area for the groundsmen, including offices and a welfare room. The applicant has advised that the welfare facilities need to be immediately adjacent to the storage area to ensure the management of the equipment within it and also, to keep a clear separation between the first team training and management that would take place within the main building.

- 6.14 The proposed groundsman's building would occupy the same footprint as that of the groundsman's building previously approved under application P1614.09 in 2009, albeit with a minimal increase in the roof height. The applicant has stated that the reasoning behind the increase is that the height is set by the type and number of large tractors and associated machinery, together with high level of storage racking for facility management of the entire site. As such, following a review of the machinery required, this resulted in the need to marginally increase the height of the building.
- 6.15 Along with the groundsman's building there would also be an irrigation storage tank to provide the water required to maintain the on-site pitches, an open wash down area to clean the equipment and a rainwater harvesting tank to store the run-off from the groundsman's building that would be re-used on site.
- 6.16 The applicant asserts that the proposed groundsman's building and associated facilities are essential to maintain the standard of pitches proposed. The applicant's supporting statement advises that the existing facilities fall well below the standard required for a facility the size of Rush Green, whether it was to be used by a Premier League Football Team or any other team further down the footballing ladder. The applicant asserts that without the proposed groundsman building it would be impossible to maintain all of the pitches.
- 6.17 The proposals for the existing main building would involve the internal reconfiguration of the existing space, which currently provides a variety of amenities including changing rooms, a gym, treatment rooms, offices and catering facilities. The proposed extensions to the north of the building would include a treatment area, hydrotherapy pool and plant room as well as a boardroom and office to allow meetings to be held on site.
- 6.18 The extensions would provide approximately 1,825 cubic metres of additional volume which equates to around a 35% increase. Nevertheless, the extensions would be single storey in height and on balance the majority of the additional massing would be adsorbed by the overall bulk and scale of the existing building and adjoining grand stand structure, particularly when viewed from the site entrance and main approach to the south. On balance it is therefore considered that the harm to the openness of the Green Belt would be minimal in this instance.

- 6.19 The applicant states that the need for the proposed facilities is an essential requirement for a modern Premier League football team. Each of the players and staff at the Club are highly valuable assets that require the best facilities available to ensure they can play at their optimum ability. The applicant advises that the extensions proposed would allow the Club to provide training and medical facilities, areas for players to eat, offices for staff, changing facilities for training and matches held at the site and an area for press conferences.
- 6.20 The applicant goes on to state that the sport of Football has received substantial investment over the last decade and the Government, Sport England and the Leagues place a great emphasis on the need to improve the football facilities at all levels of the game. The applicant advises that West Ham United are currently severely constrained by their existing first team training base at Chadwell Heath that has limited facilities and only 4 pitches to train on, meaning that training can become difficult, particularly in the winter when the pitches start to show the signs of constant use. The new facilities at Rush Green would bring them more in line with their Premier League rivals.
- 6.21 The supporting statement also raises the point that the Club, and indeed the Premier League, pride itself on trying to bring in the best players possible and the training ground plays a key part in this as it will be the players main location for 90% of the time they are at the Club. An attractive training ground that is up to modern standards will assist in attracting better players to the Club and the Premier League.
- 6.22 In respect of the need for the boardroom, the applicant states that this is primarily led by the changes in modern football. It is rare that board meetings and player purchases and contract negotiations are held at the main ground. The players are based predominantly at the training ground, as are the management staff, and so any meetings with the hierarchy at the Club need to be held at the training ground so that the Chairmen can retain a hands on approach.
- 6.23 The applicant's supporting information goes on to state that furthermore, when the Club occupy the Olympic Stadium next season, they will have limited permanent office space available to them. Any office space they will have at the Olympic Stadium would be accessed by walking through public areas around the stadium. Often in professional football there is a need to bring players to meetings without it being public knowledge, particularly during player acquisitions when the Club may wish to avoid their rivals or the media knowing. As such, the training ground offers the ideal place to hold such meetings in private.
- 6.24 The applicant has also highlighted the current role that West Ham United Football Club has within the local community in Havering. A supporting document has been provided which details the variety of community initiatives and activities that West Ham United Football Club are currently

involved in within Havering, as well as potential programmes to be implemented in the future. This includes the following:

- **Football Development:**
 - Soccer Schools - Romford & Upminster.
 - Development Centre programme - Romford.
 - Premier League School Sport.
 - Commercial Schools programme.
 - SCL Learning Academy programme 16-18 year olds - Romford.
 - Barking & Dagenham College Learning Academy Football programme for 16-18 year olds.
 - Disability provision - Down Syndrome 21.
 - Junior Football Club provision.
 - Housing Association Football Programmes - Orchard Housing Foundation.
 - 18+ Women's Football programme - delivered in partnership with the Havering Sports Development Team.

- **Community Sport:**
 - Kicks delivery programme - on-going satellite session.
 - LycaMobile Regional Tournament - 2015/16 season.
 - Targeted Football programmes in partnership with Metropolitan Police, venue and timetable TBC by PC Darren Hepple.

- **Future Development - The key areas of development across the Foundation in Havering:**
 - Learning Academy programmes / Elite Squads in partnership with WHU Academy.
 - Commercial Football programmes - Schools / Soccer Schools
 - Junior Football Club partnerships - in conjunction with the Clubs support plan within Essex.
 - The Community Sports department are exploring all delivery and funding options across Havering with a development timeline of 2016/17 season start.
 - New alternative education programme in partnership with the Education Inclusion and Support Service.

6.25 Notwithstanding the very special circumstances outlined above, it should be noted that the GLA regard the proposal as an enhancement to the provision of outdoor sports and recreation in accordance with policy 3.19 of the London Plan. This assessment is consistent with the Mayor's consideration of other similar proposals concerning Tottenham Hotspur FC, Queens Park Rangers FC and Crystal Palace FC which were also located on sites within the Green Belt.

6.26 It should also be noted that there is an absence of suitable non-Green Belt sites within the borough that could realistically accommodate the same facilities as the Rush Green Road site, whilst simultaneously fulfilling the special requirements of a Premier League football team.

6.27 Members are therefore invited to consider as a matter of judgement whether the supporting information provided by the applicant in relation to the proposed detached groundsman's building, the extensions to the existing building and the gate keepers lodge constitute special very special circumstances to justify the inappropriate development proposed. On balance, staff consider that the case put forward is sufficient to support a recommendation of approval.

Impact on Amenity

6.28 The application site is largely removed from adjoining residential properties with Crowlands Heath Golf Course to the north and Wood Lane Sports Centre to the west. To the south the site fronts onto Rush Green Road with housing beyond. To the east the site is bounded by a Public Right of Way with the residential dwellings of those properties fronting onto Bellhouse Road and Meadow Road beyond.

6.29 Although there is potential for noise disturbance to adjoining residential occupiers from use of the land as a sports ground, as explained above, the use of the site by West Ham United does not in itself require planning permission.

6.30 The nearest residential dwelling to the proposed groundsman's building is situated in Meadow Road at a distance in excess of 60 metres. Existing landscaping adjacent to the eastern site boundary would screen the majority of the building from adjoining residential properties. Staff are of the view that the proposed building would not result in an adverse impact on residential amenity.

6.31 The proposed security office would be sited adjacent to the vehicular access road into the site. The building would be set back from the front site boundary with Rush Green Road by 16 metres and screened for the most part from view by existing boundary treatment. It is not considered that the security office would be harmful to residential amenity.

Environmental Issues

6.32 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.

6.33 The site is not located within a Flood Zone and presents no issues in relation to flood risk.

6.34 The proposal is not considered to give rise to any significant or persistent noise issues.

Parking and Highway Issues

- 6.35 Policy DC33 seeks to ensure that all new developments make adequate provision for car parking.
- 6.36 Access to the application site is taken from Rush Green Road which changes to be Wood Lane as it crosses the Borough boundary into Barking and Dagenham. The existing access arrangements would remain unchanged as a result of this proposal. Staff are of the view that the proposal would not create any highway issues.
- 6.37 Within the site there is an existing large car park immediately adjacent to the access drive into the site with space for approximately 160 cars. A further car parking area for approximately 6 cars is also available outside the former sports and social club building. Staff are of the view that the existing on site car parking provision would be sufficient to cater for any additional parking requirements as a result of this proposal.
- 6.38 The Local Highway Authority has raised no objection in relation to the proposed amount of car parking provision and the access and servicing arrangements.

Mayoral Community Infrastructure Levy

- 6.39 The proposed development would create 1184.5 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £2369.00 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.40 Given the nature of the proposed development, the application does not give rise to the requirements for any developer contributions payments in respect of additional school places.

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 principle of the development, including the visual impact of the development on the character and openness of the Green Belt and the impact on the amenity of the neighbouring residents..
- 7.3 Staff are of the view that elements of the development would not be disproportionate, visually intrusive or have a harmful impact on the character

of the Green Belt or result in a loss of amenity to neighbouring occupiers. Staff are also of the view that very special circumstances have been demonstrated which justify the inappropriate element of the redevelopment. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None.

BACKGROUND PAPERS

Application form and supporting statements received on 24 July 2015 and amended plans received on 30 September 2015.

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**REGULATORY
SERVICES
COMMITTEE₃**

REPORT

December 2015

Subject Heading:

P1429.15: Ongar Way and Rainham Road, South Hornchurch

Demolition of garages and redevelopment of site to provide 9 dwellings (revised scheme to previous permission P1644.11) (Application received 6 October 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**

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	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

SUMMARY

The application site comprises land in the ownership of the Council. The application is for the redevelopment of this site to create 9 units, comprising a mix of houses and bungalows. Planning permission has previously been granted for a 12 unit development, broadly similar to that now proposed. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The site will be developed by the Council and all units are proposed to be offered as affordable housing. It is recommended that planning permission is granted.

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 would be £13,500. This is based on the creation of 675m² of new gross internal floor space.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement to secure the following:

- A financial contribution of £54,000 (such contribution having already been paid to the Local Authority under the previous scheme) to be used towards educational infrastructure costs
- 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 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. Car parking - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

4. Materials – The development shall be carried out in accordance with the external materials stated in the letter dated 19 October 2015 from Dovetail Architects.

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

5. Landscaping – The development shall be carried out in accordance with the landscaping details previously approved under application reference Q0107.15, unless otherwise submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that

the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to the details previously submitted to and agreed in writing by the Local Planning Authority under application reference Q0107.15 and shall be retained thereafter in accordance with the approved details.

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

7. Cycle storage - Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously agreed in writing by the Local Planning Authority under application reference Q0107.15 shall be provided and permanently retained thereafter.

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

8. Boundary treatment –Prior to the first occupation of the development hereby approved, all proposed walls, fences and boundary treatment shall be erected at the site in accordance with the details previously submitted to, and approved in writing by, the Local Planning Authority under application reference Q0107.15. The boundary development shall then be retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties and in order that the development accords with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

9. Secure by Design - Prior to the first occupation of the development hereby permitted, the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be carried out in accordance with the details previously submitted to and approved in writing by the Local Planning Authority under application reference Q0107.15.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

10. External lighting - Prior to the first occupation of the development the lighting of external areas of the development including shall be carried out in accordance with the details in the submitted Outdoor Lighting Report dated 4 November 2015 and retained thereafter to the satisfaction of the Local Planning Authority.

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

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 LDF Development Control Policies Development Plan Document Policy DC61.

12. Wheel washing – The development hereby approved shall be carried out in accordance with the details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction that have been previously submitted to and approved by the Local Planning Authority under application reference Q0107.15. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

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

13. Construction methodology – The development hereby approved shall be constructed in accordance with the Construction Method Statement details previously submitted to and approved in writing by the local planning authority under application reference Q0065.15 to control the adverse impact of the development on the amenity of the public and nearby occupiers.

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

14. Land contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I and II Report having already been

submitted to and approved by the Local Planning Authority under application Q0107.15):

- a) A Phase III (Risk Management Strategy) Report (as 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 the development 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.

- b) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

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

15. No additional flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the approved plans), shall be formed in the flank walls of the dwellings hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

16. Removal of Permitted Development Rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order (or any order revoking and re-enacting that order with or without modification), no development shall take place under Classes A, B, C or E (other than outbuildings with a volume no greater than 10 cubic metres) unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

17. Alterations to Public Highway: The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: Insufficient information has been submitted with regard to the proposed alterations to the public highway. Submission of this detail prior to commencement will ensure good design and public safety and comply with policies CP10, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

18. Licence to alter 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 the development.

Reason: Insufficient information has been submitted with regard to the proposed alterations to the public highway. Submission of this detail prior to commencement will be in the wider interests of the travelling public and are maintained and comply with policies CP10, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

19. Levels: The development shall be carried out in accordance with the details of proposed levels submitted to and approved in writing by the Local Planning Authority under application reference Q0107.15.

Reason: In the interests of neighbouring amenity and to accord with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

20. Accessible and Adaptable Dwellings: The 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.

Informatives:

1. 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 as 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.
2. 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 1991 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. Please note that unauthorised work on the highway is an offence.
3. 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. Please note that unauthorised use of the highway for construction works is an offence.
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. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought

from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

6. 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.
7. 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 £13,500. 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. Further details with regard to CIL are available from the Council's website.

REPORT DETAIL

1. Background

- 1.1 The application site comprises land that is owned and being developed by the Council. Planning permission was granted for residential development of 12 units on the site in May 2014 (planning permission reference P1644.11) and construction of the development has commenced. Following commencement it is now apparent that the development cannot be built as approved owing to the location of a BT duct to the western end of the site. As a result, the development has been reduced to 9 units, as applied for under this new application.

2. Site Description

- 2.1 The application site is located to the south side of Ongar Way. The site also has boundaries on to Rainham Road, to the west and to the south of the site. Newtons Corner roundabout lies to the immediate west of the application site.
- 2.2 The site originally comprised a number of garage blocks, some in use and some in a relatively dilapidated condition. There are three separate access points to the site, all of which lead from Ongar Way. The site is generally level and is backed onto on its north and south side by the rear garden of dwellings in Ongar Way and Rainham Road respectively. There are also

two existing flatted blocks, which share a boundary on to the application site. The western end of the site abuts, but does not include, an area of open space, which is a designated village green. To the east the site shares a boundary with a parade of shops with residential over, which front on to Writtle Walk.

- 2.3 The surrounding area is predominantly residential in character, drawn from a mix of two storey housing and low-rise flats. Work has already commenced on the re-development of the site.

3. Description of Proposal

- 3.1 The application is for the demolition of the existing garage blocks and redevelopment of the site to provide 9 no. residential dwellings. The three existing points of vehicular access into the site will be retained (these are referred to within the application as the west, central and east access roads). The development of this site will effectively form three cul-de-sacs, each served by one of the vehicular accesses.
- 3.2 At the western end of the site, the access road will be altered to provide on street parking spaces, leading into a cul-de-sac of 4 units (there were previously 7 units proposed in this part of the site), comprising 2 no. 3 bed semi-detached houses, 1 no. 2 bed bungalow and 1 no. 1 bed bungalow. There will be a 1.8m high brick boundary wall to the western site boundary onto the green.
- 3.3 The existing access to the central part of the site will also be modified to provide additional on street parking. Three bungalows will be built in this part of the site.
- 3.4 At the eastern end of the site, the existing access will be modified to enable the creation of on-street parking, although 6 existing garages will be retained. There will be no direct vehicular access from this part of the site to any of the proposed new dwellings. A pair of semi-detached houses will be constructed at the eastern end of the site, facing onto and accessed directly from Rainham Road. The proposals no longer provide an additional parking area on Rainham Road that was initially proposed for use of Writtle Walk residents.
- 3.5 Overall the proposal provides a total of 18 new parking spaces for the proposed dwellings, which is a ratio of two spaces per unit. In addition 42 surface car parking spaces will be created, as well as the retention of an existing block of 6 garages at the eastern end of the site.
- 3.6 The application proposes a range of detached and semi-detached dwellings, comprising bungalows and two storey units. All of the proposed dwellings are of a simple, traditional design. External materials have previously been agreed under the previous permission and are

predominantly brick with grey roof tiles, with some elements of render and external cladding.

4. History

- 4.1 P0510.08 The redevelopment of site occupied by 52 single storey garages to provide 13 houses and 15 apartments – withdrawn.
- 4.2 P1644.11 Demolition of existing garages and construction of 12 no. dwellings - approved

5. Consultation/Representations

- 5.1 Neighbour notification letters have been sent to 123 addresses. One letter of representation has been received querying the reason for the new application. No objections to the proposal have been received.
- 5.2 Highways have been consulted and raise no objection to the proposal but note that there appears to be further stopping up of the highway required.
- 5.3 Environmental Health raise no objections but request a contaminated land condition.
- 5.4 The Fire Brigade (water) raise no objections.

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6. Relevant Policies

- 6.1 The National Planning Policy Framework, specifically Sections 1, 4, 6 and 7, is a material consideration.
- 6.2 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), 5.21 (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.
- 6.3 Policies CP1, CP2, CP9, CP10, CP15, CP16, CP17, DC2, DC3, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC52, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

In addition, the Technical Appendices to the Planning Obligations Supplementary Planning Document (SPD), Residential Design SPD and Designing Safer Places SPD are material considerations.

7. Staff Comments

7.1 The issues arising from this application are the principle of development, the density and layout of the new development and the impact of its design, scale and massing on the character and amenity of the locality, the quality of the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues and the impact on community infrastructure. The previous planning permission is a material consideration in the assessment of these proposals.

7.2 Principle of Development

7.2.1 The application site was previously used primarily for parking and garaging and constitutes previously developed land. Therefore its redevelopment for residential purposes is considered to be acceptable in principle, and has been accepted by virtue of the previous planning permission, and accords with Policy CP1 of the Local Development Framework (LDF), the provisions of the London Plan and the National Planning Policy Framework (NPPF).

7.3 Density and Site Layout

7.3.1 With regard to Development Control Policy DC2, this site is outside the PTAL zone identified on the proposals map and therefore is classified as 'rest of the borough' where a density range of 30-50 units per hectare applies. The application site has an area of 0.4 hectares and proposes 9 new dwellings. This equates to a development density of 22.5 units per hectare and is below the range specified in Policy DC2. The low density of the development is created largely by the provision of a significant amount of surface parking within the development to compensate for that lost through demolition of the existing garages. The density is comparable with that previously approved and acceptable in principle.

7.3.2 The development proposes a development of one, two and three bedroom family housing. This complies in principle with the aims of Policy DC2 in respect of dwelling mix and Policy 3.8 of the London Plan relating to housing choice. The proposals have been assessed against the Technical housing standards – nationally described space standards and found to comply. As with the previous application, the proposals should be designed to current standards of accessibility and adaptability. This can be secured through a planning condition requiring compliance with the relevant Building Regulation standard.

7.3.3 The layout of the site is virtually identical to that previously approved, although three of the units have now been removed from the western end of the development. In respect of site layout, the development will utilise the existing site entrances from Ongar Way. There is no objection to this in principle, although some stopping up of the public highway will be required. Consent to undertake this work will need to be secured outside of the planning process. It is understood that a stopping up order was made with regard to the previous planning permission P1644.11 but that further

stopping up may be required. The layout of the site is constrained by the irregular shape of the site, its relationship to surrounding residential properties and the high proportion of surface car parking provided, which is to compensate for the loss of existing garage spaces. The proposals respond to these constraints by effectively forming a series of three cul-de-sacs, enabling each dwelling to have access to its own dedicated parking spaces, provision of private amenity space and a secure and defensible living environment. The existing site has numerous garages, many of which were unused and vandalised. This proposal represents an opportunity to remove the garages, which were a source of anti-social behaviour and replace them with a safer, better laid out site that provides much needed housing and improved parking facilities for local residents. Although these factors affect how the site can be laid out, it is considered that the low density development of the site enables a reasonably spacious arrangement of the dwellings, all of which have access to private amenity space, which in terms of size, layout and usability meet the guidance in the Residential Design SPD. It is however recommended that permitted development rights are removed by condition in view of plot sizes and the relationship between dwellings. Care will also need to be taken with the detailed design of boundary treatment to ensure that the right balance is struck between the need for privacy/security and the visual character and amenity of the development as a whole. Details of boundary treatment have been provided and are judged to be acceptable.

7.3.4 Staff have given consideration to the quality of the resultant living environment, particularly the bungalows, as these are generally on smaller plots than other units within the development. It is acknowledged that, for the most part these are positioned tight to the southern boundary of the site but they are designed so that there are no habitable windows facing direct to the boundary and units are considered to have an acceptable outlook. There is scope to provide defensible space in front of windows through appropriate landscaping and to provide privacy and security through appropriate boundary treatments. On balance the living arrangements are considered acceptable and have already been accepted in principle by virtue of the previous permission.

7.3.5 A number of the units within the development are situated behind the houses fronting Rainham Road and Ongar Way, thus limiting their presence in the streetscene. Only two houses are now proposed at the western end of the site, where they will be visible from the wider streetscene, as they back on to the existing village green. This arrangement has previously been judged acceptable and there are no material changes in this respect. Also, the dwellings are not hard up against the boundary of the site with the village green, so physically will appear less overbearing. Whilst a new brick boundary wall is proposed, given that there are currently brick built garages backing on to the green, it is not considered this would be detrimental to the overall character or degree of openness the green presently displays. The development also includes a pair of houses to the Rainham Road frontage, at the eastern end

of the site. These follow the building line of neighbouring development and are acceptable in principle.

- 7.3.6 An application for Secured by Design accreditation has already been made in respect of the previously approved scheme and Staff are satisfied that this proposal has taken reasonable measures to make the development as safe as possible.

7.4 Design and Visual Impact

- 7.4.1 Architecturally, the proposed dwellings have a traditional appearance, constructed predominantly of brick with a tiled pitched roof. There is no predominant character to development in the locality, although built form, materials etc. tend to be of traditional appearance, such that the proposed development is considered to be appropriate to the locality. Details of external materials have already been approved for the earlier consent and can be brought forward to this scheme.

- 7.4.2 In terms of scale and massing, the dwellings within the central part of the site are designed as bungalows, with no accommodation in the roof. This form of development is necessitated by the close relationship to the rear gardens of neighbouring dwellings and is considered to be appropriate to the site. There will only be limited views of the bungalows in the wider streetscene, from Ongar Way, and the impact of this element of the development on local character is considered to be acceptable.

- 7.4.3 At the western end of the site, the previous permission accepted five dwellings. Given the removal of three units the visual impact in this part of the site is lessened compared to the previous approval and is judged acceptable.

- 7.4.4 The development also proposes a pair of semi-detached houses, at the eastern end of the site, which will front on to Rainham Road. These are the same as previously approved and their impact is therefore judged acceptable.

- 7.4.5 On balance therefore, having regard to the site constraints and the character of the locality, as well as the previous planning permission, it is considered that the character, design and appearance of the proposed development is acceptable.

7.5 Impact on Amenity

- 7.5.1 The impact on residential amenity was assessed under planning application P1644.11 and found to be acceptable. This application proposes no material change to the previous scheme, other than to remove three units. Therefore, the proposal gives rise to no materially different amenity impacts compared to the previous permission and is judged to be acceptable.

7.6 Environmental Impacts

- 7.6.1 The application site is located in Flood Zone 1, which is the lowest risk flood zone. The site is less than 1 hectare in area so a surface water risk assessment is not required either. The site is previously developed land and not considered to be at significant risk of flooding and the proposal is judged acceptable in this respect.
- 7.6.2 A land contamination desk top and site investigation study have been carried out. Land contamination conditions have been partly discharged already in respect of the previous permission and the development that has already taken place on site. This can be carried forward to any new consent.

7.7 Parking and Highway Issues

- 7.7.1 The application proposes two parking spaces per dwelling, which accords with the LDF requirement for 2-1.5 spaces per unit. The proposal is therefore compliant in principle with the LDF. Additionally, the scheme provides 42 surface parking spaces for use by local residents and retains an existing block of 6 garages. This is considered to adequately compensate for the loss of existing garaging facilities from the site. The parking arrangements are similar to those found acceptable under the previous application, although there are six fewer spaces to the Rainham Road frontage. Staff consider the parking spaces to be acceptably laid out within the site and to be adequate to serve the proposed development.
- 7.7.2 Each dwelling will be required to make provision for cycle storage to accord with the standards set out in Annex 6 of the LDF. Details have already been provided in connection with the previous development and found acceptable and these can be secured by condition.
- 7.7.3 In terms of impact on road capacity and junctions Highways have no objections to the proposals but note that part of the site is shown as Highway and will have to go through the 'stopping up' procedure under Section 247 (Town and Country Planning Act). As this will also involve work to make good the remaining highway at the entrance to the site, Highways will require the developer to enter into an agreement with The Highway Authority.
- 7.7.4 Streetcare were consulted in respect of the previous application and raised no objection to refuse collection arrangements. The Fire Brigade raised no concern with regard to access on the originally submitted plans.

7.8 Affordable Housing

- 7.8.1 As the development is for less than ten units, there is no planning policy requirement to provide affordable housing. Members may wish to note that this scheme is being developed by LB Havering and the intention is for low cost home ownership with the units being sold to purchasers who are not

able to afford to purchase their own property outright on the open market. This will not however be secured through the planning application as the number of units is below the minimum policy threshold for affordable housing.

7.9 Infrastructure

7.9.1 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.

7.9.2 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.

7.9.3 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.

7.9.4 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.

7.9.5 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.

7.9.6 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.

- 7.9.7 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.
- 7.9.8 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 £54,000 for educational purposes would be appropriate. It should be noted that an infrastructure contribution of £72,000 was required by the previous planning permission, secured through a planning condition. The contribution has already been paid under the previous scheme therefore in order to link the payment to this scheme, it is necessary for the applicant to enter into a legal agreement with the council to secure the contribution for the current scheme.

8. The Mayor's Community Infrastructure Levy

- 8.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The site does include garages which are to be demolished. Under the provisions of the CIL regulations (as amended) the area of these buildings could be deducted from the CIL liability if they have been used for six months out of the three years prior to the grant of planning permission. However, the majority of the garages on the site appear unused and there is no evidence to support their deduction from floorspace. The applicable fee has been calculated based on the internal gross floor area of the proposed development of 675m², which equates to a Mayoral CIL payment of £13,500 subject to indexation.
- 8.2 It is open to the developer to make an application for CIL liability relief in respect of those units which are provided as affordable housing.

9. Conclusion

- 9.1 The proposed residential development on the site is acceptable in principle and has been accepted by the previous permission. There is no significant difference between the previous approval and this application, only a loss of three of the previously approved units. There is considered to be no material change in circumstances or policy that would lead to a different

conclusion to the previous application and it is therefore recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

The application site comprises land in the ownership of the Council. This application is however considered solely on the planning merits of the proposals. Legal resources will be required for future work relating to the stopping up of the highway.

Human Resource Implications:

None arising from this application.

Equalities and Social Inclusion Implications:

Planning applications are determined with full regard to equalities issues. The application responds to these issues by providing a range of housing types, with regard to the need for housing for people with disabilities and life time homes criteria, thus meeting a range of community needs.

BACKGROUND PAPERS

1. Planning application P1429.15 received 6 October 2015.

REGULATORY SERVICES COMMITTEE

3 December 2015

REPORT

Subject Heading:

P1566.12 – Rainham Landfill,
Coldharbour Lane

Planning application for the continuation of waste inputs and operation of other waste management facilities (materials recycling facility, waste transfer station, open air composting site, gas engines, leachate treatment plant, and incinerator bottom ash processing) until 2024 and re-profiling of final contours.

Ward

Rainham & Wennington

Report Author and contact details:

Simon Thelwell
Planning Manager – Projects and
Regulation
simon.thelwell@havering.gov.uk

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

On 18 December 2014, Members of the Regulatory Services Committee resolved to grant planning permission for the continuation of landfill until 2024, subject to conditions and satisfactory completion of a S106 Legal Agreement. Members further resolved that if the legal agreement remained incomplete later than six months after the date of this resolution, the resolution be brought back to Committee for further consideration.

Mainly due to changes in the legal personnel dealing on the matter, the agreement has only recently reached a stage where it is acceptable to both parties in terms of form and content. There has been no change in circumstances since the earlier resolution. It is therefore recommended that authorisation is given to complete the legal agreement and issue planning permission.

RECOMMENDATION

That planning permission be granted, subject to the conditions and S106 legal agreement heads of terms set out in the report to Committee dated 18th December 2014 and added to at that meeting.

REPORT DETAIL

- 1.1 On 18 December 2014, Members considered a planning application that sought to increase the amount of waste to be brought onto the Rainham Landfill site (additional 3.6 million tonnes) with a proposed completion date for landfilling extended to 2024 (currently conditioned to be 2018) with restoration of the site by 2026. Planning permission was recommended, subject to conditions and a legal agreement covering various matters, in the main associated with the post-restoration use of the site as public open space, but also seeking contributions for highway improvements.

- 1.2 Members resolved to grant planning permission, as per the recommendation in the officer's report, subject to an additional condition requiring submission of annual summary reports showing restoration levels in comparison with restoration level.
- 1.3 Members also resolved that if the legal agreement remained incomplete later than six months after the date of their resolution, the resolution be brought back to Committee for further consideration. It has not been possible to complete the legal agreement within the 6 months specified by Committee (18 June 2015). This is partly due to the complex nature of the agreement and the need to agree it with all three owners of separate parts of the site, requiring several redrafts of particular clauses, but is principally related to the departure of two of the Council's legal officers who were dealing with the drafting and advising on the content of the agreement. This resulted in significant delays in agreeing revised content with the applicant's legal advisers.
- 1.4 Since October, a new legal officer has been working on the case and matters have progressed significantly. The Legal Agreement is now at an advanced stage where the content and form has been agreed by all parties.
- 1.5 Since the original committee resolution on 18 December 2014, there have been no significant changes to planning policy that would affect the recommendation made to grant permission subject to conditions and legal agreement. On 21 January 2015, the Mayor of London confirmed that he did not wish to direct refusal of the application or take it over for his determination.
- 1.6 Authorisation is therefore sought from Members to allow the S106 legal agreement to be completed and planning permission issued beyond the six month limit originally imposed.

IMPLICATIONS AND RISKS

- 2 Financial implications
 - 2.1 As per report to committee 18 December 2015.
- 3 Legal Implications
 - 3.1 As per report to committee 18 December 2015

BACKGROUND PAPERS

Application form
Regulatory Services Committee Agenda and Minutes – 18 December 2015

All information submitted in support of planning application P1566.12.

REGULATORY SERVICES COMMITTEE

3 DECEMBER 2015

REPORT

Subject Heading:

Planning obligations and agreements

Report Author and contact details:

Simon Thelwell
Projects and Regulations Manager
01708 432685

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

Details of S106 agreements can be found as a download from our web page at www.havering.gov.uk/planning. This report updates the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2015

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

1. This report updates the position on legal agreements and planning obligations. Approval of various types of application for planning permission decided by this Committee can be subject to prior completion or a planning obligation. This is obtained pursuant to Section 106 of the Town and Country Planning Acts. The purpose of such obligations is to secure elements outside the immediate scope of the planning permission such as affordable housing, education contributions and off site highway improvements. Obligations can also cover matters such as highway bonds, restriction on age of occupation and travel plans plus various other types of issue.
2. The obligation takes the form of either:
 - A legal agreement between the owner and the Council plus any other parties who have a legal interest in the land.
 - A unilateral undertaking offered to the Council by the owner and any other parties who have a legal interest in the land.
3. This report updates the Committee on the current position on the progress of agreements and unilateral undertakings authorised by this Committee for the period 2000 to 2015.

IMPLICATIONS AND RISKS

Financial implications and risks: Legal agreements usually have either a direct or indirect financial implication.

Legal implications and risks: Significant legal resources are necessary to enable the Council to negotiate and complete legal agreements within the Government's timescale. Monitoring fees obtained as part of completed legal agreements have been used to fund a Planning Lawyer working within the Legal Department and located in the Planning office. This has had a significant impact on the Service's ability to determine the great majority of planning applications within the statutory time periods through the speedy completion of all but the most complex legal agreements.

Human Resources implications and risks: The effective monitoring of legal agreements has HR implications. These are being addressed separately through the Planning Service Improvement Strategy.

Equalities implications and risks: Planning Control functions are carried out in a way which takes account of equalities and diversity.

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REGULATORY SERVICES COMMITTEE

3 DECEMBER 2015

REPORT

Subject Heading:

Planning and enforcement appeals received, public inquiries/hearings and summary of appeal decisions

Report Author and contact details:

Simon Thelwell
Projects and Regulations Manager
01708 432685

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 accompanies a schedule of appeals received and started by the Planning Inspectorate and a schedule of appeal decisions between 1 August 2015 and 12 November 2015

RECOMMENDATIONS

That the results of the appeal decisions are considered and the report is noted.

REPORT DETAIL

1. Since the appeals reported to Members in September '15 43 new appeals have been started. Decisions 32 appeals have been received during the same period 19 have been dismissed, 8 allowed, 3 withdrawn and 1 was made invalid and 1 temporary permission.

IMPLICATIONS AND RISKS

Financial implications and risks: Enforcement action may have financial implications for the Council

Legal implications and risks: Enforcement action and defence of any appeals will have resource implications for Legal Services

Human Resources implications and risks: No implications identified

Equalities implications and risks: No implications identified

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

APPEAL DECISIONS - PLANNING					
Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1181.14 Land West of Benskins Lane Benskins Lane Noak Hill Romford <i>The use of land for the stationing of caravans for residential purposes for 3 no. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use.</i></p>	Hearing	Refuse	Delegated	<p>The site lies within the area identified in the Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document as Metropolitan Green Belt. Policy DC45 of the Development Plan Document and government guidance in the National Planning Policy Framework set out what development is appropriate in Green Belts. Government guidance in Planning Policy for Traveller Sites states that traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Such development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. No very special circumstances have been demonstrated in this case sufficient to outweigh the demonstrable harm that the development would cause to the openness of the Green Belt and the rural character of the area. The development would, therefore be contrary to policy DC45 of the Core Strategy and Development Control Policies Development Plan Document and the guidance in the National Planning Policy Framework and the Planning Policy for Traveller Sites.</p> <p>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 the Havering Planning Obligations</p>	<p>Temporary</p> <p>It was agreed that traveller sites are inappropriate development in the Green Belt, and should not be approved except in very special circumstances. Notwithstanding the limited harm identified, these considerations lead to the conclusion that very special circumstances did not exist sufficient to clearly outweigh the harm that would be caused by the grant of a permanent permission.</p> <p>In support of the appellant case, the Inspector stated that having regard to the policy situation, the agreed site supply situation and the situation of this family, very special circumstances did exist which clearly outweighed the harm in respect of a temporary permission. For these reasons it was concluded that the appeal should be allowed and a three-year temporary permission was granted.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.	
<p>P0907.14 Cranham Golf Course St. Marys Lane Upminster <i>Proposed Solar Park</i></p>	Written Reps	Approve With Conditions	Committee	<p>It is considered that the proposal would constitute inappropriate development in the Green Belt, and that very special circumstances have not been demonstrated in this case that would clearly outweigh the harm by reason of inappropriateness and other harm. The proposal is therefore contrary to the guidance contained in the National Planning Policy Framework.</p> <p>The proposal, by reason of the number of solar panels and their arrangement across the site, together with the scale and extent of associated structures and development, would be materially harmful to the open character of the Green Belt, and to the visual amenities of the surrounding area, contrary to Policy DC61 of the Development Control Policies Development Plan Document.</p> <p>The proposed solar panels, by reason of the scale of the development and the location of the site in relation to the nearby motorway, would create conditions that would present a distraction to users of the M25 and would therefore be significantly harmful to highway safety, contrary to Policy DC32 of the Development Control Policies Development Plan Document.</p>	<p>Allowed with Conditions</p> <p>The Inspector found that factors that counted against the scheme were the harm that the proposed development would cause to the Green Belt, by reason of its inappropriateness; substantial weight was attached to this, moreover the proposal would have an adverse impact on openness; and would conflict with one of the five purposes for designating Green Belt.</p> <p>In support of the scheme the Inspector attached substantial weight to the benefits associated with the proposed production of energy from a clean and renewable source, and considerable weight should attach to the ecological benefits that would be achieved by the development proposals. Finally on the highways issue, the Inspector agreed with the findings of the submitted Solar Photovoltaic Glint and Glare Study which were accepted by Council Officers. Furthermore the views of the Highway Agency were specifically requested: it raised no objection to the proposal.</p> <p>In summary the totality of the harm that would be caused by the proposed development was clearly outweighed by other considerations, such that the very special circumstances, necessary to justify a grant of planning permission for development in the Green Belt, existed in this case.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 135</p>					<p>An application for a full award of costs was refused as the Council followed the correct decision-making procedure in this case, assessing the relevant Green Belt considerations. In this respect, and a full award of costs was not justified. However the third reason for refusal asserted that the proposed solar panels would create conditions that would present a distraction to users of the M25 and would therefore be significantly harmful to highway safety. The Inspector found it difficult to understand how the Committee Members reached that view given the advice of its Planning Officers, informed by the comprehensive Solar Photovoltaic Glint and Glare Study and the consultation response from the Highways Agency who did not object to the proposal on highway safety grounds, subject to the imposition of appropriate conditions. The reason for refusal was unsupported by any objective analysis and this constituted unreasonable behaviour on the part of the Council. Therefore an application for a partial award of costs was allowed</p>
	<p>P0809.14 13 Burntwood Avenue Hornchurch <i>Demolition of the existing care home and the erection of 4 dwellings and an access road (outline application).</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposed development, by reason of the plot layout and the extent of built form introduced into the existing open garden layout, combined with the limited plot width of the frontage unit adjacent to the access road, would give rise to a development that is out of keeping with and harmful to the spacious character of the Emerson Park area and the wider streetscene, contrary to the provisions of the Emerson Park SPD and the</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 136</p>				<p>provisions of Policies DC69 and DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal, by reason of the location of the access road in close proximity to the boundary with no.11 Burntwood Avenue, would give rise to levels of noise and disturbance from vehicular activity that would be detrimental to the amenity of adjoining occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>occupants of nearby properties. On the final reason, the appellant submitted an Obligation and the requirement for a contribution towards infrastructure would be necessary, directly related to the development and fairly and reasonably related in scale and kind to the development</p> <p>An application for a partial award of costs was made in relation to the first and second reasons for refusal. It was made on the grounds that the Council had failed to fully justify their reasons for refusal; failed to determine the application in a consistent manner; and the Committee determining the application failed to follow the advice of the officers. The Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated and the application was refused.</p>
	<p>P1363.14 30 Elms Close Hornchurch <i>Retention of outbuilding</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The outbuilding, by reason of its design, external materials and position close to the boundaries of the site, is considered to be an unneighbourly development which creates a dominant and visually intrusive feature in the rear garden environment, that is harmful to the amenity of adjacent occupiers, contrary to the Residential Extensions and Alteration SPD and Policy DC61 of the LDF Development Control Policies Plan Document.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1010.14 Dovetail House 60 Station Road Upminster <i>The proposal is for demolition of existing building and construction of new mixed use building with retail use on the ground floor with a cycle store and two bin stores and residential units on the upper floors.</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The proposed residential section of the development in Howard Road would, by reason of its height and scale appear as an unacceptably dominant and visually intrusive feature in the Howard Road streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the guidance in the National Planning Policy Framework. 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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Dismissed The Inspector agreed with the Council on the first reason for refusal. As the conclusions on the main issue represented a compelling reason for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the Planning Obligation issue (the final reason)</p>
<p>P1251.14 Hare Lodge Upper Brentwood Road Romford <i>Construction of a two storey dwelling.</i></p>	<p>Written Reps</p>	<p>Approved with Agreement</p>	<p>Committee</p>	<p>The attempt to integrate a pitched roof onto a modernist architecturally themed building creates a weak, discordant design which would be incongruous to the setting of Hare Hall Lodge and be materially harmful to the character of the Gidea Park Special Character Area contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD. 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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Dismissed On the first issue, the Inspector concluded that the inclusion of modernist architectural detailing to the windows and doors would not be particularly jarring against the hipped roof. The simple elevational treatment of light coloured render would not detract from the arts and crafts design of Hare Lodge and the proposed development would be subservient in scale and form to Hare Lodge. Therefore the proposal would not harm the character and appearance of Hare Lodge or the GPSCA. The Inspector agreed with the Council on the second reason for refusal. No unilateral undertaking was submitted in respect of the</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
					required contribution and the Inspector found that the absence of a planning obligation meant that the development would not make adequate provision for infrastructure, contrary to LDF Policy. In summary the absence of harm on the first issue did not outweigh the harm found with regard to infrastructure provision.
P1484.14 5 Crossways Gidea Park Romford <i>Change front drive to sweeping drive in/drive out style</i>	Written Reps	Refuse	Delegated	The proposals would significantly reduce the amount of soft landscaping in the front garden and by reason of the carriage style driveway, result in a form of development which detracts from the setting of the property. The proposals would neither preserve or enhance the special character and appearance of the Gidea Park Conservation Area, contrary to the National Planning Policy Framework and Policies DC61 and DC68 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Allowed with Conditions</p> The Inspector found that subject to an appropriate hard and soft landscaping scheme, the proposal would make a valuable contribution to the verdant setting of the host dwelling and the street scene which would potentially make a far greater contribution than the existing arrangement. It would both preserve and enhance the sylvan character and appearance of the GPCA and would not harm its significance
P1405.14 84 Dorking Road land r/o Harold Hill <i>Residential development comprising 2No. 1 bed maisonettes & 2 three bed houses in two storey buildings including roof accommodation and associated parking, amenity, cycle & refuse storage.</i>	Written Reps	Refuse	Delegated	The proposed development would, by reason of the restricted plot size, height and positioning of the buildings close to the boundaries and first floor overlooking windows, appear dominant and result in a cramped over-development of the site to the detriment to the character of the surrounding area and the amenity of adjoining residential occupiers contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. The proposed development would, by reason of the design of the frontage	<p style="text-align: center;">Dismissed</p> The Inspector agreed with the Council regarding the first two reasons for refusal. On the third reason the Inspector found that there would be no adverse impact on the living conditions of neighbours. As the conclusions on two of the main issues represented a compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the submitted Planning Obligation (the final reason).

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>building, in particular the uncharacteristic roof dormers and undercroft entrance, appear as a visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposal, by reason of the location of the amenity space for the flats, does not provide for sufficiently private and usable amenity space, thereby harmful to the privacy and amenity of the future occupiers of the flats, contrary to the provisions of the Residential Design SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>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 and the Havering Planning Obligations Supplementary Planning Document.</p>	

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
<p>P1679.14 34 Reed Pond Walk Romford <i>Installation of solar panels to the rear roof slope.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The information provided does not demonstrate that the solar panels would be a good match for the existing roof materials and would not be visible from the street. It is considered that the proposal would not preserve or enhance the character or appearance of the Gidea Park Conservation Area and would be contrary to policies DC61(Urban Design) and DC68 (Conservation Areas) of the Havering Core Strategy and Development Control Policies Development Plan Document.</p>	<p>Dismissed The Inspector agreed that the proposed solar panels would seriously detract from the character and appearance of the property, the setting of the adjacent listed buildings and the rear garden environment. It would therefore fail to preserve the character or appearance of the GPCA as a whole and the harm that would be caused to the significance of the GPCA would not be outweighed by any public benefits</p>
<p>P1357.14 15 Burntwood Avenue Hornchurch <i>Demolition of house and erection of 2 two storey detached dwellings with accomodation in roof space.</i></p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would by reason of the limited plot frontage width for 15 and 15a Burntwood Avenue, appear incongruous and unduly cramped in the streetscene and harmful to the open and spacious character of the surrounding area in Sector 6 of Emerson Park contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD and the Emerson Park Policy Area SPD. The first floor balcony on the rear facade of No. 15 Burntwood Avenue would, by reason of its excessive depth, siting and proximity to the western boundary of the site, prejudice the development potential of St Mary's Convent, 13 Burntwood Road and result in undue overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of adjacent and future occupiers, particularly No.'s 13 and 15a Burntwood Avenue contrary to Policy DC61 of the LDF Core Strategy and</p>	<p>Dismissed The Inspector agreed with the Council on the first two reasons and it was not necessary to consider the issue of the contribution requested by the Council (the final reason).</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Development Control Policies DPD. 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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>P0958.14 42 Frederick Road Rainham <i>Erect Detached Bungalow, Lay Out Parking and Amenity Areas, Form Private Drive and Alter Accesses onto Frederick Road</i></p> <p>Page 141</p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its position in the rear garden of the host property result in a cramped form of development that would be uncharacteristic of the area. As a result it would be materially harmful to the character and appearance of the area contrary to Policies CP17, DC3 and DC61 of Core Strategy and Development Control Policies Development Plan Document and the guidance in the Residential Design SPD and the National Planning Policy Framework.</p> <p>The proposed development would, by reason of its position and close proximity to the rear gardens of neighbouring properties cause a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>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 the Havering Planning Obligations</p>	<p>Dismissed</p> <p>The Inspector agreed with the Council on the first two reasons for refusal. As the conclusions on two of the main issues represented compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the submitted Planning Obligation (the final reason)</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.	
<p>P1118.14 Rear of 26 St Lawrence Road Upminster <i>Removal of existing garage used for storage to construct a One bedroom chalet-style bungalow including amenity space.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed bungalow would by reason of its density and layout result in over-development of the site. The density proposed for the site is beyond the limits as set out in local and regional planning policy, giving rise to an unacceptably cramped appearance and overdevelopment of the site harmful to the character and appearance of the surrounding area, visually intrusive and out of character contrary to Policies DC2 and DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposed development would, by reason of its layout, density and positioning within the site, result in a poor outlook and living environment for future resident's due to the overlooked amenity space and proximity of adjacent properties and their vehicle access/storage routes contrary to the Residential Design Supporting Planning Document and Policy DC61 of the Local Development Framework Development Control Document.</p> <p>In failing to deliver a high quality of design and layout through the deficiencies described in reasons 2-3 above, the proposal fails to justify such high density of development and would result in an overdevelopment of the site, contrary to Policies DC2 and DC61 of the LDF Development Control Policies</p>	<p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council regarding reasons for refusal 1 to 4. As the conclusions on the main issues represented a compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the Planning Obligation issue (the final reason).</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>Development Plan Document. The proposal fails to make adequate provision for refuse collection contrary to Policy DC36 of the Core Strategy and Development Control Policies Development Plan Document. 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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>P0122.15 108-168C Main Road Romford CHANGE OF USE OF RETAIL SHOP TO RESTAURANT (A3 USE) AND JOINT USE WITH 168C MAIN ROAD.</p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposal is contrary to Policy DC16 (Core and Fringe Frontages in District and Local Centres) of the Core Strategy and Development Control Policies Development Plan Document as it would result in the grouping of 3 adjacent non-retail units and would increase the percentage of non-retail units in the parade and the Core Area of which it is a part, to an unacceptable level. This would be to the detriment of the vitality and viability of both the parade of shops and the Gidea Park Major Local Centre.</p>	<p>Dismissed The Inspector agreed with the Council on the sole reason for refusal and concluded that the proposed development would have an adverse effect on the vitality and viability of the Gidea Park Major Local Centre.</p>
<p>P0063.15 7 Ingrebourne Gardens Upminster Construction of single storey rear and two storey side & rear extension with new entrance porch and canopy roof</p>	<p>Written Reps</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development would, by reason of its very close proximity along the flank boundary, close the characteristic gap and appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and</p>	<p>Dismissed The Inspector agreed with the Council's conclusions on the effect of the development on the character and appearance of the surrounding area.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Development Control Policies DPD.	
P0021.15 43 Gordon Avenue Hornchurch <i>Loft conversion with rear and side extensions</i>	Written Reps	Approve With Conditions	Committee	The rear extension as built, by reason of its design and bulk, in particular the additional height and the additional depth of the rear soffit compared to that granted planning permission under ref. P1140.14, would appear as an intrusive and unneighbourly development harmful to the rear garden environment and to the amenities of neighbouring properties contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.	<p style="text-align: center;">Allowed with Conditions</p> The Inspector concluded that the rear extension element of the scheme did not represent an intrusive or dominant development. It would not cause material harm to the living conditions of the neighbouring properties and they would continue to receive adequate levels of sunlight and daylight. The Council raised no objection to the single storey side extension or loft conversion on the submitted plans
P 1617.14 The Lodge 67 Corbets Key Road Upminster Conversion of 6 No 1 bedroom flats.	Written Reps	Approved with Agreement	Committee	The proposal, by reason of the scale and mass of the building and proximity to site boundaries is considered to give rise to a cramped, overdevelopment of the site, detrimental to local character and amenity and contrary to the provisions of Policy DC61 of the LDF Core Strategy and Development Control Policies DPD. The proposal represents an overdevelopment of the site, resulting in a cramped site layout and inadequate provision of amenity space for the future occupiers of the proposed development, detrimental to residential amenity and contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD and the provisions of the Residential Design SPD. The proposal would, by reason of the	<p style="text-align: center;">Dismissed</p> The Inspector agreed with the Council on the first reason for refusal (character and appearance) but not on the second and third reasons (amenity space and parking). As the conclusions on the first main issue represents a compelling reasons for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the submitted Planning Obligation (the final reason). The appellant made an application for a full award of costs against the Council. The Inspector found that unreasonable behaviour resulting in wasted expense was demonstrated solely in relation to car parking provision and for this reason a partial award of costs was justified.

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>inadequate on site parking provision for occupiers of the development and visitors, be likely to create conditions adversely affecting the functioning of the site and thereby detrimental to the amenity of occupiers of the site, as well as the potential for unacceptable overspill on adjoining roads, contrary to Policies DC61 and DC32 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>09098.15 Ethelburga Road Romford <i>Conversion of a 9 bedroom care home into a House of Multiple Occupancy consisting of 9 bedsits sharing a kitchen. Also a new central dropped kerb to front of property</i></p>	<p>Written Reps</p>	<p>Approve With Conditions</p>	<p>Committee</p>	<p>The intensity of the use proposed would, by reason of noise and disturbance caused by comings and goings and the use of the rear garden, be unacceptably detrimental to the amenities of occupiers of adjacent properties, contrary to Policies DC55 and DC61 of the LDF Development Control Policies Development Plan Document.</p> <p>The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2 and DC33 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p>Allowed with Conditions</p> <p>The Inspector found that with a restriction on occupancy numbers, the proposed HMO would not cause harm to the living conditions of surrounding neighbouring properties. In regard to the proposal having a similar number of occupants to the existing lawful use, it was found that the appeal property would provide adequate outdoor facilities for future occupants. Finally the site is in a highly sustainable location within a very short walking distance to Harold Wood Railway Station. The proposal included 5 off road car parking spaces to the front of the property and this level of provision meets the requirements of Council parking standards</p>

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LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				The proposed development would, by reason of the inadequate provision of amenity space for the intensity of use proposed, result in a poor standard of accommodation to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document.	
P0213.15 2 Clairvale Hornchurch <i>Double storey side extension, Single storey rear extension with front alterations and internal modifications</i>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its height, scale, bulk and mass, close to the boundaries of the site, amount to an unsatisfactory form of development which would appear obtrusive and uncharacteristic of the surrounding area as well as being unacceptably dominant and visually intrusive within the streetscene and rear garden area. In all, the development is considered harmful to the appearance of the surrounding area and is contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Emerson Park SPD.	<p style="text-align: center;">Allowed with Conditions</p> The Inspector found that that the proposed extension would not appear cramped in regard to its surroundings and therefore it was not out of character within the area. Furthermore it would maintain the spacious character and appearance of Emerson Park Policy Area
P0147.15 1 North Weald Close Hornchurch <i>Single and double storey side extensions Internal alterations and new front entrance location</i>	Written Reps	Refuse	Delegated	The proposed development would, by reason of its excessive width, lack of subservience and crown roof form over the single storey side extension, visually unbalance the appearance of this semi-detached house and appear as an unacceptable development which would be dominant and visually intrusive in the street scene, harmful to the appearance of the surrounding area contrary to the Residential Extensions and Alterations SPD and Policy DC61 of the LDF Core	<p style="text-align: center;">Allowed with Conditions</p> The Inspector was satisfied that the appeal proposal was subservient to the host property and would upset the limited symmetry of the pair of semi-detached houses. The proposal therefore did not cause unacceptable harm to the character and appearance to the host property nor to the surrounding area

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Strategy and Development Control Policies DPD.	
<p>P0302.15 1 Broadway Gidea Park Romford <i>Front porch, new front bay window and formation of canopy roofs to front and rear elevations and alterations to existing windows</i></p>	Written Repls	Refuse	Delegated	The proposed changes to the front elevation of this attractive house would neither preserve or enhance the character and appearance of the property itself or the Gidea Park Conservation Area, contrary to Policies CP17, CP18, DC61 and DC68 of the LDF Development Control Policies Development Plan Document.	<p style="text-align: center;">Dismissed</p> Split decision: The appeal was dismissed insofar as it relates to the formation of canopy roofs to form a porch and over bay windows to the front and minor front window alterations. The appeal was allowed insofar as it relates to the rear canopy and minor rear window alterations and the Council stated that they had no objection to this element of the proposal.
<p>P0402.15 30 Collier Row Road Romford <i>Erection of outbuilding to rear garden</i></p>	Written Repls	Refuse	Delegated	The proposed outbuilding would, by reason of its size, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the rear garden environment, harmful to the appearance of the surrounding area, contrary to the Supplementary Planning Document for Residential Extensions and Alterations and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.	<p style="text-align: center;">Dismissed</p> The Inspector agreed completely with the Council's reason for refusal and dismissed the appeal.
<p>P1564.14 19 Blyth Walk Upminster <i>Erection of 2 storey dwelling with private amenity and off street car parking with new crossover.</i></p>	Written Repls	Refuse	Delegated	The proposed development would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area. The proposed plot sizes and car parking layout would be out of character with the pattern of development in the surrounding area.	<p style="text-align: center;">Dismissed</p> The Inspector agreed with the Council on the first reason for refusal. As the conclusions on the main issue represented a compelling reason for dismissing the appeal, it was deemed not necessary to consider the appropriateness or otherwise of the Planning Obligation issue (the final reason).

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				<p>On this basis, the proposal would be contrary to Policy 7.4 of the London Plan 2011; Policy CP17, DC3, and DC61 of the LDF Core Strategy and Development Control Policies DPD; and the Residential Design SPD.</p> <p>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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.</p>	
<p>P0578.15 15 Winchester Avenue 15 Romminster 15 <i>Prop to gable roof with rear facing dormer window, single/two storey side extension and single storey front porch extension</i></p>	<p>Written Repts</p>	<p>Refuse</p>	<p>Delegated</p>	<p>The proposed development by reason of its general design and gable roof form will visually unbalance the appearance of this semi-detached pair of properties. The proposals will therefore appear as an unacceptably dominant and visually intrusive form of development, causing harm to the streetscene, contrary to the Residential Extensions and Alteration Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.</p> <p>The proposed rear dormer window would, by reason of its excessive width and bulk together with its intrusive rendered appearance, appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area, contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF</p>	<p>Dismissed</p> <p>The Inspector agreed with the Council's reasoning for refusing the application and dismissed the appeal.</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				Core Strategy and Development Control Policies Plan Document.	
<p>P1243.14 1 Albert Road Romford <i>Demolition of existing building and construction of 6 new dwellings with off street car parking, landscaping and private amenity.</i></p>	Written Reps	Refuse	Delegated	<p>The proposed development would, by reason of the inadequate provision of amenity space for the semi-detached dwelling to the south of the site, result in a cramped over-development of the site to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 and the Design for Living Supplementary Planning Document.</p> <p>The semi-detached dwellings would, due to their siting and proximity to the north eastern boundary, appear unacceptably cramped and be out of scale and character with the local pattern of development harmful to the character and appearance of the surrounding area and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p> <p>The semi-detached dwellings would, by reason of their height, gabled roof, scale, bulk, mass, siting and proximity to boundaries of the site, be an unneighbourly development and appear overbearing, dominant and visually intrusive in the rear garden environment and would also result in undue overlooking and loss of privacy to neighbouring occupiers, particularly No.'s 124 -132 Victoria Road contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.</p>	<p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on the first three reasons and it was therefore not necessary to consider the issue of the contribution requested by the Council; (the final reason).</p>

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
				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 the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.	

TOTAL PLANNING = 24

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
APPEAL DECISIONS - ENFORCEMENT					
Description and Address	Appeal Procedure			Reason for Refusal	Inspector's Decision and Comments
ENF/10/14/ Yard 3 Clockhouse Lane Collier Row Romford	Hearing				<p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the Council on grounds (a), (f) and (g) appealed by the appellant. The enforcement notice was corrected in several respects and subject to these changes the appeal was dismissed and the enforcement notice is upheld, and planning permission is refused on the planning application deemed to have been made under ground (a)</p>
ENF/481/09/UP Prechaun New Holding Pepins Lane Upminster	Written Reps				<p style="text-align: center;">Dismissed</p> <p>The Inspector agreed with the reasoning of the Council for serving the notice in regard to grounds (a) & (d) appealed by the appellant. The appeal was dismissed and the enforcement notice was upheld, and planning permission was refused on the application deemed to have been made on ground (a).</p> <p>The appellant has applied for leave to challenge the Inspector's conclusions at the High Court. The Council await the outcome of the permission for leave hearing.</p>

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LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
ENF/335/11/HY 30 Elms Close Hornchurch	Written Reps				<p style="text-align: center;">Dismissed</p> The Inspector found that the requirements of the notice were not excessive to remedy the breach of planning control as alleged. The appeal on ground (f) failed and the enforcement notice was upheld. It is noted that the requirements to remove or carry out alterations to the outbuilding as set out in the notice will be overridden by the grant of permission under planning appeal of P1363.14
ENF/332/13/BL Detection House Brooklands Approach Romford	Written Reps				<p style="text-align: center;">Dismissed</p> The appeal was made on grounds (a), (f) and (g) by the appellant. The enforcement notice was corrected and varied in several respects. Subject to these changes the appeal was dismissed and the enforcement notice was upheld and planning permission was refused on the application deemed to have been made on ground (a).

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TOTAL ENF = **4**

LIST OF APPEAL DECISIONS MADE BETWEEN 01-AUG-15 AND 12-NOV-15

Description and Address	Appeal Procedure	Staff Rec	Delegated / Committee Decision	Reason for Refusal	Inspector's Decision and Comments
Summary Info:					
Total Planning =		24			
Total Enf =		4			
Appeals Decided =		32			
Appeals Withdrawn or Invalid =		4			
Total =		28			
	Dismissed		Allowed		
Hearings	1	3.57%	1	3.57%	
Inquiries	0	0.00%	0	0.00%	
Written Reps	18	64.29%	8	28.57%	

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REGULATORY SERVICES COMMITTEE

3 DECEMBER 2015

REPORT

Subject Heading:

Schedule of Enforcement Notice

Report Author and contact details:

Simon Thelwell
Projects and Regulations Manager
01708 432685

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

Attached are schedules detailing information regarding Enforcement Notices updated since the meeting held on 3 September 2015

RECOMMENDATIONS

For consideration.

REPORT DETAIL

Schedule A shows current notices with the Secretary of State for the Environment awaiting appeal determination.

Schedule B shows current notices outstanding, awaiting service, compliance, etc.

An appeal can be lodged, usually within 28 days of service, on a number of grounds, and are shown abbreviated in the schedule.

The grounds are:

- (a) That, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) That those matters have not occurred (as a matter of fact);
- (c) That those matters (if they occurred) do not constitute a breach of planning control;
- (d) That, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) That copies of the enforcement notice were not served as required by Section 172;
- (f) That the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) That any period specified in the notice in accordance with Section 173(9) falls short of what should reasonably be allowed.

BACKGROUND PAPERS

Schedule A & B.

SCHEDULE A

CASES AWAITING APPEAL DETERMINATION

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	ENFORCEMENT NOTICE SERVED	APPEAL LODGED
Connect Waste Management UK Limited Denver Industrial Estate Ferry Lane Rainham ENF/432/10/RW	Without planning permission, the material change of use of the Land to a waste recycling and processing facility ("the Use")	Delegated	02-03-15	17-04-15
Tyas Stud Farm St Marys Lane Minster ENF/177/13/UP	Without planning permission : (a) operational development involving the importation of soil and the laying of hard surfacing on the Land (the development); and (b) the material change of use of the Land to residential use through ; the stationing of mobile homes and touring caravans on the Land for residential purposes: and the parking of vehicles and open storage of the Land ("the Use").	Delegated	05-12-14	15-01-15
203 Upper Rainham Road Hornchurch ENF/236/14/	Without planning permission the unauthorised use of an outbuilding in the rear garden of the property as independent, self-contained residential accommodation ("the Use").	Committee 28-01-15	23-02-15	30-03-15

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	ENFORCEMENT NOTICE SERVED	APPEAL LODGED
17 Keats Avenue Romford ENF/529/14/	Without planning permission, the material change of use of the premises into six selfcontained studio flats with one communal kitchens.	Delegated	02-10-15	04-11-15
262 Straight Road Romford ENF/168/15/	Without planning permission, the material change of use of the premises into six selfcontained studio flats with one communal kitchen.	Delegated	02-10-15	04-11-15
52 Sevenoaks Close Romford ENF/214/15/	Without planning permission, the material change of use of the premises into six selfcontained studio flats with three communal kitchens.	Delegated	02-10-15	04-11-15

SCHEDULE B

ENFORCEMENT NOTICES – LIVE CASES.

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
South side of Lower Bedford's Road,(Hogbar Farm) west of junction with Straight Road, Romford	(1) Siting of mobile home and touring caravan. (2) Earth works and ground works including laying of hardcore.	28.6.01 Delegated	6.9.01 31-05-02	10.9.01 31-05-02	6.11.01 Grounds (a) and (g)	Allowed 14.2.03 Notice quashed temporary planning permission granted Dismissed and extended the compliance to 15 months	Temporary planning permission granted for one -year period – expired Feb 2004. Monitoring. In abeyance pending adoption of new Planning Guidance. 2 February Regulatory Services Committee agreed to hold enforcement decisions in abeyance pending above. Traveller site policy incorporated within LDF.
Land junction of Lower Bedford's Road (Vinegar Hill) and Straight Road, Romford	(1) Unauthorised residential use and operations. (2) Erection of fencing and construction of hardstanding	Delegated Authority “	9.11.01 “	9.11.01 “	21.12.01 “	Allowed 14.2.03 Notice quashed temporary planning permission granted for 1 year. Dismissed and extended the compliance to 15 months	Temporary planning permission granted for one -year period – expired Feb 2004. Monitoring. In abeyance pending adoption of new Planning Guidance. 2 February Regulatory Services Committee agreed to hold enforcement decisions in abeyance pending above. Traveller site policy incorporated within LDF.
Hogbar Farm (East), Lower Bedford's Road Romford	Residential hardsurfacing Operational development	Committee 3.7.03	16.1.04	22.1.04	26.2.04 Grounds (a) and (g)	Appeal Dismissed Public Inquiry 11 and 12 December 2007	Temporary planning permission granted until 30-04-2013. Monitoring. In abeyance pending adoption of new Planning Guidance. 2 February Regulatory Services Committee agreed to hold enforcement decisions in abeyance pending above. Traveller site policy incorporated within LDF.
Fairhill Rise, Lower Bedford's Road Romford	Residential, hardsurfacing etc. Operational development	Committee 3.7.03	16.1.04	22.1.04	27.2.04 Ground (a) and (g)	Appeal part allowed Public Inquiry 24.4.07	Appeal part allowed for 5 years plus 3 month to reinstate the land Monitoring. In abeyance pending adoption of new Planning Guidance. 2 February Regulatory Services Committee agreed to hold enforcement decisions in abeyance pending above. Traveller site policy incorporated within LDF.
Arnolds Field, Lauanders Lane, Upminster	Unauthorised landfill development x 2	Committee 24.4.04		29.7.04	Appeal lodged.	Appeal dismissed	Enforcement Notices upheld. Pursuing compliance.

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
21 Brights Avenue, Rainham	Unauthorised development.	Committee 22.10.04	14.12.04	20.12.04			Enforcement Notice served. Second prosecution 30-09-10. Costs £350.00. Pursuing compliance
Adj 1 Bramble Cottage, Bramble Lane Upminster	Compound and storage	Committee 27.5.04	13.02.06	13.02.06			Pursuing compliance
179-181 Cherry Tree Lane, Rainham	1. Development 2. Use	Committee 30.8.06	27.10.06	30.10.06			Third prosecution fined (A) £5,000 (B) £5,000 Cost £2500 Pursuing compliance
Page 160 Land at Church Road, Noak Hill Romford	1. Development 2. Use	Delegated	17.7.07	17.7.07		Appeal dismissed	1. Development. Appeal Dismissed Enforcement Notice varied 2. Use. Appeal Dismissed Pursuing compliance
Woodways & Rosewell, Benskins Lane, Noak Hill Romford	Change of Use	Delegated	21.6.07	27.6.07	20.7.07	Appeal dismissed	Pursuing compliance
Sylvan Glade Benskins Lane Noak Hill Romford	Change of Use and Development	Delegated	18.9.07	18.9.07	24.10.07	Appeal dismissed	Pursuing compliance
The White House Benskins Lane Romford 2 Notices	1. Alleged construction of hardstanding. 2. Alleged Change of Use for storage	Committee 06-12-07	29-07-08	29-07-08			Pursuing compliance

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
14 Rainham Road Rainham	Alleged operation of car wash without full compliance with planning conditions and unauthorised building (2 Notices)	Committee 26-06-08	07-11-08	13-11-08	12-01-09 15-12-08	Appeal dismissed	Further appeal lodged 13-02-14 Part allowed/part dismissed 26/03/15
Damyns Hall Aveley Road Upminster	Unauthorised construction of a Hanger and various breach (9 Notices served)	Committee 18.09.08	23.12.08 24-04-09	23.12.08 24-04-09	02-02-09 26-05-09	Various decisions (9 Notices)	Pursuing compliance
Lakeview Caravan Park Cummings Hall Lane Noak Hill Romford	Unauthorised developments and changes of use (5 Notices served)	Committee 20-11-08	16-02-09	17-02-09	11-04-09	Various decisions (5 Notices)	Pursuing compliance
57 Nags Head Lane Brentwood	Development (5 Notices)	Committee 15-01-09	06-03-09	06-03-09	15-04-09	Appeal part allowed/part dismissed	Pursuing compliance
60 Berwick Road Rainham	Unauthorised fence	Delegated 27-08-09	27-08-2009	02-10-09	12-03-10	Appeal dismissed	Pursuing compliance
118 Mashiters Walk Romford	Development	Delegated 20-08-09	23-12-09	24-12-09	11-08-09	Appeal dismissed	Pursuing compliance
222 Havering Road Romford	Development	Committee 29-10-09	18-01-10	18-01-10	25-02-10	Appeal dismissed	Notice complied with
179-181 Cherry Tree Lane Rainham	Use	Delegated 03-08-10	28-01-10	29-01-10			Pursuing compliance
Folkes Farm Folkes Lane Upminster	Use x 2	Committee 11-03-10	07-10-10	07-10-10	01-11-10	Appeal dismissed	Pursuing compliance

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
The Former Brook Street Service Station Colchester Road Harold Wood	Use & Development	Delegated 01-07-10	22-07-10	23-07-10	26-08-10	Temporary Permission given	Monitoring
Land off Church Road Noak Hill Romford	Development	Committee 15-07-10	10-09-10	10-09-10			Pursuing compliance
83A London Road Romford	Use	Committee 02-12-10	04-03-11	04-03-11	26-03-11	Appeal Withdrawn	Notice complied with
5 Writtle Walk Rainham	Use	Delegated 14-01-11	18-04-11	18-04-11	19-05-11	Appeal Dismissed	Prosecuted, pursuing compliance
11 Ryder Gardens Rainham	Use	Delegated 14-09-11	19-09-11	19-09-11	21-10-11	Appeal Dismissed	Notice complied with
1a Willoughby Drive Hornchurch	Use	Committee 14-08-11	14-10-11	21-10-11			No action at present time Notice remains on land.
2A Woburn Avenue Elm Park Hornchurch	Use	Delegated 07-11-11	17-11-11	17-11-11	21-12-11	Appeal Dismissed	On- going prosecution , Notice complied with
Folkes Farm (Field) Folkes Lane Upminster	Development	Delegated 22-12-11	23-12-11	23-11-11			Pursuing compliance
Cranham Hall Farm The Chase Cranham Upminster	Use x 5 Development x7	Committee 17-11-11	15-03-12	15-03-12	13-04-12	Appeal Dismissed	Pursuing compliance

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
Benskins Lane east of Church Road Harold Wood Romford	Development	Delegated	14-05-12	15-05-12	14-06-12	Appeal Dismissed	Pursuing compliance
72 Crow Lane Romford	Use	Committee 19-07-12	28-08-12	28-08-12	19-09-12	Appeal dismissed	Prosecuted –pursuing compliance
14A Lower Mardyke Avenue Rainham	Development	Delegated	28-08-12	28-08-12			Pursuing compliance
2-8 Upminster Road South Rainham	Development	Committee 14-09-12	14-09-12	20-09-12			Pursuing compliance
Westead Place Benskins Lane Noak Hill Romford	Development/Use	Delegated	23-05-13	23-05-13	04-07-13	Appeal allowed	Pursuing compliance
76 Lower Bedford Road Romford	Development	Committee 06-06-13	12-08-13	12-08-13	19-08-13	Appeal dismissed	Pursuing compliance
Lakeview Caravan Park Cummings Hall Lane Noak Hill Romford	Development/Use	Committee 27-06-13	13-09-13	13-09-13	21-10-13	Appeal allowed	Pursuing compliance
34 Lake Rise Romford	Development	Delegated	23-10-13	23-10-13	27-11-13	Appeal dismissed	Pursuing compliance
5 Playfield Avenue Collier Row Romford	Development	Delegated	22-11-13	25-09-13		Appeal invalid	Not expedient to prosecute

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
Upminster Court Hall Lane Upminster	Development	Committee 24-10-13	23-12-13	13-12-13	23-12-13	Appeal part allowed/part dismissed	Pursuing compliance
Hogbar Farm West Lower Bedfords Road Romford	Development/Use	Delegated	12-02-14	13-02-14	13-03-14	Notice quashed	Temporary planning permission granted for 3 years expiring 28-07-18
Hogbar Farm East Lower Bedfords Road Romford	Development/Use	Delegated	12-02-14	13-02-14	13-03-14	Appeal dismissed	Notice to be complied with by 28-07-17
14 Rainham Road Rainham	1. Breach of conditions 2. Development	Committee 14-11-13	15-01-14	16-01-14	13-02-14	Appeal part allowed/part dismissed	Pursuing compliance
3 Austral Drive Hornchurch	Development	Committee 03-10-13	23-12-13	23-12-13	30-01-14	Appeal dismissed	Pursuing compliance
38 Heaton Avenue Romford	Development	Committee 03-10-13	17-01-14	20-01-14			Pursing compliance
Prime Biomass Unit 8 Dover's Corner New Road Rainham	Use	Delegated	11-03-14	11-03-14			Pursing compliance
Folkes Farm Folkes Lane Upminster	Use Notice A	Delegated	24-04-14	24-04-14			Pursing compliance
Folkes Farm Folkes Lane Upminster	Use Notice B	Delegated	24-04-14	24-04-14			Pursing compliance

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
Folkes Farm Folkes Lane Upminster	Use Notice C	Delegated	24-04-14	24-04-14			Pursuing compliance
Folkes Farm Folkes Lane Upminster	Use Notice D	Delegated	24-04-14	24-04-14			Pursuing compliance
356 Rush Green Road Romford	Use	Committee 24-04-14	04-08-14	05-08-14			Pursuing compliance
195-197 New Road Rainham	Development/Use	Delegated	26-08-14	26-08-14	06-10-14	Withdrawn	Pursuing compliance
1 Spinney Close Rainham	Development	Committee 17-07-14	26-08-14	26-08-14			Pursuing compliance
Le Prechauns Spinney Lane Upminster	Development	Delegated	26-08-14	26-08-14	29-08-14	Appeal Dismissed	Challenge made to High Court
Unit 4 Detection House Brooklands Approach Romford	Use	Delegated	21-10-14	21-10-14	20-11-14	Appeal dismissed	Pursuing compliance
30 Elms Close Hornchurch	Development	Committee 21-08-14	21-10-14	21-10-14	13-11-14	Appeal allowed	No further action
Land at Aveley Marshes Rainham	Use	Committee 30-01-14	22-09-14	22-09-14	27-10-14		Notices withdrawn 14/04/15/ Seeking further Legal advice

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
Tyas Stud Farm r/o Latchford Farm St Marys Lane Upminster	Use/Development	Delegated	05-12-14	05-12-14	15-01-15		See Schedule A
Land at Yard 3 Clockhouse Lane Collier Row Romford	Use/Development	Delegated	14-01-15	15-01-15	16-02-15	Appeal dismissed	Pursuing compliance
7 Gidea Close Gidea Park Romford	Development	Delegated	18-02-15	18-02-15			Notice complied with
15 South Street Romford	Development	Delegated	18-02-15	18-02-15			Notice complied with
Connect Waste Denver Industrial Estate Ferry Lane Rainham	Use	Delegated	02-03-15	02-03-15	17-04-15		See Schedule A
203 Upper Rainham Road Hornchurch	Use/Development	Committee 28-01-15	23-02-15	23-02-15	30-03-15		See Schedule A Public Inquiry 12/1/16
11 Northumberland Avenue Gidea Park Romford	Development	Delegated	13-07-15	14-07-15			Pursuing compliance
17 Keats Avenue Harold Hill Romford	Use	Delegated	02-10-15	02-10-15	04-11-15		See Schedule A

ADDRESS	SUMMARY OF BREACH OF PLANNING CONTROL	DATE OF COMMITTEE AUTHORITY	NOTICE ISSUED	NOTICE SERVED	APPEAL LODGED	APPEAL DECISION	COMMENTS
262 Straight Road Harold Hill Romford	Use	Delegated	02-10-15	02-10-15	04-11-15		See Schedule A
52 Sevenoaks Close Harold Hill Romford	Use	Delegated	02-10-15	02-10-15	04-11-15		See Schedule A
2 Berther Road Hornchurch	Development	Delegated	22-09-15	22-09-15			Pursuing compliance

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REGULATORY SERVICES COMMITTEE

3 DECEMBER 2015

REPORT

Subject Heading:

Prosecutions update

Report Author and contact details:

Simon Thelwell
Projects and Regulations Manager
01708 432685

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 updates the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

1. Failure to comply with the requirements of an Enforcement Notice is an offence prosecutable through the Courts.
2. A Local Planning Authority is not obliged to proceed to prosecution. In practice this power tends to be sparingly used by Local Planning Authorities primarily for two reasons. Firstly, LPAs are encouraged through national guidance to seek negotiated solutions to planning breaches. Formal action should be used as a last resort and only where clearly expedient and proportionate to the circumstances of the case. Secondly, prosecutions have significant resource implications which can compete for priority against other elements of workload both for Planning and Legal Services.
3. As confirmed in the Policy for Planning Enforcement in Havering, prosecutions should only be pursued on legal advice, when it is clearly in the public interest and when the evidential threshold has been reached, ie where it is more likely than not (a greater than 50% probability) that a conviction will be secured
4. There has been no prosecution this quarter.

IMPLICATIONS AND RISKS

Financial implications and risks: Financial resources are required to undertake Prosecutions

Legal implications and risks: Prosecutions requires use of legal resources.

Human Resources implications and risks: None identified.

Equalities implications and risks: The Councils planning powers are implemented with regard for equalities and diversity

REGULATORY SERVICES COMMITTEE

3 DECEMBER 2015

REPORT

Subject Heading:

Schedule of complaints

Report Author and contact details:

Simon Thelwell
Projects and Regulations Manager
01708 432685

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 attached schedule lists the complaints received by the Planning Control Service regarding alleged planning contraventions for the period 15 August 2015 and 13 November 2015

RECOMMENDATIONS

That the report is noted and the actions of the Service agreed.

REPORT DETAIL

Prior to this meeting, Members have been emailed the schedule listing the complaints received by the Planning Control Service over alleged planning contraventions. Since the matter was last reported to this Committee on the 3 September 2015 some 175 complaints have been received

There have been 2 unauthorised Traveller encampments this quarter. These matters have since been resolved