



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
28 January 2016**

**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:
Richard Cursons 01708 432430
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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 INTERESTS

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

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

4 MINUTES (Pages 1 - 4)

To approve as a correct record the minutes of the meeting of the Committee held on 7 January 2016 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 5 - 26)

- 6 **P1154.15 - CROWN PUBLIC HOUSE, LONDON ROAD, ROMFORD** (Pages 27 - 48)

- 7 **P1407.13 - LAND ADJACENT TO WENNINGTON HALL FARM, RAINHAM** (Pages 49 - 90)

- 8 **P1255.15 - 1-15 CORBETS TEY ROAD, UPMINSTER** (Pages 91 - 108)

- 9 **P1257.15 - 17-31 CORBETS TEY ROAD, UPMINSTER** (Pages 109 - 126)

- 10 **P1673.15 - 21 GILBERT ROAD, ROMFORD** (Pages 127 - 140)

- 11 **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
Council Chamber - Town Hall
7 January 2016 (7.30 - 8.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace (Vice-Chair),
Ray Best, Philippa Crowder and Steven Kelly

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Alex Donald and +Ron Ower

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

An apology for absence was received from Councillor Linda Hawthorn.

+Substitute members: Councillor Ron Ower (for Linda Hawthorn).

Councillors Linda Van den Hende and Philip Hyde were also present for part of the meeting.

10 members of the public were present.

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

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

390 **MINUTES**

The minutes of the meeting held on 17 December 2015 were agreed as a correct record and signed by the Chairman.

391 **P1470.15 - UNIT 40 THE OLD BRICKWORKS INDUSTRIAL ESTATE, HAROLD WOOD - CHANGE OF USE TO ADD GYMNASIUM AND KEEP FIT CENTRE WITH NEW EXTERNAL CLADDING.**

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

392 **P1578.15 - LAND ADJACENT TO BRAMBLE FISHING LAKE, BRAMBLE LANE, UPMINSTER**

The proposal before Members sought a twelve month extension to complete the development attached to planning permission P0115.14. The original permission had anticipated that the material required for the development could be imported over a ten week period, with an additional two weeks required for engineering and profiling. In the interests of ensuring the completion of the development, and the site's timely restoration, condition 8 of the permission granted, limited the engineering operations approved to a six month period which had expired on 27 October 2015.

In addition to the extension the application sought to vary the current permitted hours of operation. The applicant sought the following hours of operation:

- 08:00 to 16:30 Monday to Friday;
- 08:00 -12:00 on Saturdays;
- No times on Sundays and Bank/Public Holidays.

Members noted that the application had been called in by Councillor Linda Van den Hende as it was considered that the proposed change in hours of operation would result in a loss of amenity to nearby residential properties. In addition objection had been raised to the additional 12 month period of completion because the extension would prolong the unsightly appearance of the site.

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

The objector commented that the original plans that were submitted lacked clarity and that the applicant had not detailed any reason for the application. The objector commented that poor planning was the reason for completion of only 30% of the work to date. The objector also commented that lack of materials indicated lack of planning and this had had nothing to do with the weather. The objector was also of the view that any extension granted to the dusty and noisy work on the site would be an inconvenience to neighbours.

In response, the applicant's representative commented that the applicant had found it difficult to obtain the right clay to cap the site and had been hampered by the wet summer. All works carried out to date had been

supervised by planning officers. The applicant had also requested a variation of hours as other developers had been allowed to start work earlier and this restriction had not helped. The applicant wished to ensure the work was completed as soon as possible.

With its agreement Councillor Van den Hende addressed the Committee.

Councillor Van den Hende commented that the summer had been one of the driest on record so it was difficult to see how the development had been delayed by a wet summer. With regard to the request to vary the hours this would adversely affect the neighbouring property but also the residents at the end of Bramble Lane. Councillor Van den Hende also commented that it was not necessary for the applicant to keep heavy equipment on the site if it was not working. Councillor Van den Hende concluded by commenting that if wet weather was a key factor perhaps conditions could be applied allowing work in the drier spring and summer months and suspending operations in the wetter months.

During a brief debate Members discussed the use of bonds to encourage applicants to complete developments within the time limits specified. Discussion was also had regarding the other options available to the Council should the applicant fail to complete development within the time limits set.

Officers advised that they would look at the issue of bonds and report to a future meeting of the Committee.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report with the exception of condition 5 which should be amended to read 'Operations in connection with the development hereby approved shall only take place between the hours of 8.30am and 4.30pm Monday to Friday, and between 8.00am and 12.00pm on Saturdays, and not at all on Sundays and Bank Holidays/Public Holidays'.

393 **P1572.15 - FORMER KINGS WOOD SCHOOL SITE, SETTLE ROAD, HAROLD HILL**

The proposal before Members was for a new 2 storey primary school on part of the site formerly occupied by the former Kings Wood School and on part of the Harold Hill Learning Village. The site was in the Green Belt and the proposed development was considered to be inappropriate. There were however considered to be sufficient Very Special Circumstances to outweigh harm to the Green Belt, including the need for school places in the borough and favourable comparison in terms of what had been proposed for this part of the site as part of the outline planning permission for the Learning Village.

Members discussed the proposals and concerns were raised regarding the adequacy of parking provision on-site. Officers assured Members that the

application met the criteria with 29 places being proposed which equated to two per classroom plus one additional space. Members also raised concerns regarding the failure to provide for drop off/pick up facilities on the site. Officers agreed to raise these concerns with Children's Services as issues to be considered in any future educational developments.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and the following additional conditions detailed at the meeting:

- The development hereby approved should not be occupied until the cycle parking shown on the approved plans had been provided and thereafter the provision should be available for the parking of cycles associated with the development.
- Details of PV system. The development hereby approved shall not be occupied until details of the solar PV system to be installed on the roof was provided in accordance with details that had been previously submitted to and approved in writing by the Local Planning Authority.

Chairman

Regulatory Services Committee

28 January 2016

Application No.	Ward	Address
P1316.15	Elm Park	24 Mungo Park Road, Rainham
P1427.15	Hylands	PGR Salian, Rush Green Road, Romford

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 28th January 2016

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

BACKGROUND

The application was considered by the Regulatory Services Committee on 3 December 2015. It was resolved that consideration of the report be deferred to allow staff to negotiate with the applicant to demonstrate how a minimum of two parking spaces both with proper access could be accommodated on the site, including what impact this had on existing on-street parking spaces.

Further evidence has been provided by the applicant showing the car parking at the site. There is currently provision for two vehicles to park on the site frontage, albeit a brick boundary wall currently runs along part of the front boundary. There is a dropped kerb enabling vehicular access. Whilst there is space for two vehicles on the frontage, these parking spaces do not meet the minimum standards for parking spaces as set out in the LDF and creates potential for cars overhanging the pedestrian footway. There is a turning area in front of the site where it appears that vehicle parking also takes place.

It should be noted that the car parking situation on the site will not be altered by the proposal. Havering's highways team have not objected to the proposal as the car parking will remain unchanged from the present situation. Car parking standards are based on the location of a residential property and not on the number of bedrooms. Given that the proposal is for an additional bedroom it is considered unreasonable to require that the applicant modify the area of driveway to accommodate car parking.

Although it is possible to improve the accessibility of the frontage by the removal of the front boundary wall, this will not overcome the fact that there is insufficient depth of frontage to provide

parking spaces that comply with the LDF size requirements. By opening up the frontage, this would also be likely to reduce the availability of on-street parking at the end of the cul-de-sac, so the access would need to remain unobstructed. Consequently it is likely that no net increase in the levels of parking available locally would result.

The remainder of the report below is as previously considered by Members on 3 December.

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 - 28th January 2016

APPLICATION NO. P1427.15
WARD: Hylands Date Received: 28th September 2015
Expiry Date: 28th December 2015
ADDRESS: P G R Salian
Rush Green Road
Romford
PROPOSAL: Demolition of existing buildings and redevelopment comprising of a self storage unit (use class B8) with associated car and cycle parking and landscaping.
DRAWING NO(S): 100
110
111
200
201
112
300
301
302
500
202

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

SITE DESCRIPTION

The application relates to the former PGR Salian premises on Rush Green Road, Romford. The site is currently vacant and comprises a large yard area fronting onto the A124 Rush Green Road and several buildings previously used for associated storage and office uses. The plot is located adjacent to the Roneo Corner Minor Local Centre, which extends eastwards beyond a closed-off junction with Grenfell Avenue. The premises was previously in use as a builders merchants and as such makes up one element of the various commercial uses which front onto Rush Green Road.

The River Rom runs to the west and the site is adjoined by residential accommodation directly to the south and further residential dwellings along Grenfell Avenue to the east. As a result the site is located in a transitional area of mixed residential and commercial uses.

The existing buildings on site are not listed and the premises is not located within a conservation area. The land is 'non-designated' on the Havering LDF proposals map.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the demolition of the existing buildings and redevelopment of the site to erect a new detached B8 self-storage warehouse unit incorporating 2,532 square metres of new gross internal floor space with up to six internal levels.

The proposed building would occupy the full 45 metre length frontage with Rush Green Road, featuring glazing panels and brickwork sections. The main front, rear and flank elevations of the proposed storage unit would stand approximately 12.5 metres in height, with an additional central section set back from the main elevations taking the overall building height to 15.3 metres. The unit would occupy the majority of the site and the footprint would incorporate a triangular section which takes into account the tapered boundary adjacent to the River Rom. Overall, the building would have a depth of 42 metres and would sit within 6 metres of the southern boundary at the closest point and 1 metre from the western boundary with the River Rom. The undercroft section of the building would be set-in approximately 1 metre from the Grenfell Avenue boundary and would be supported by a series of 5 metre high brick pillars.

The site would be accessed via a repositioned entrance from the A124 Rush Green Road, adjacent to Grenfell Avenue. This would lead through the undercroft section of the building to a car park and turning head area located in the southern corner of the site providing car parking for 16no. vehicles (including 1no. accessible space). The adjacent road at Grenfell Avenue would remain closed at the junction with the A124 and proposed development would take no access from this residential road. There would also be no pedestrian access points into the site directly from Grenfell Avenue.

Internally the proposed building would provide some 1,200 storage units of varying sizes over five storeys with around 160 units for use by small and medium sized local businesses and the remaining units for domestic customers.

The proposed storage business would employ 4 members of staff. At this stage the applicant has not stated the intended operating hours. Such uses commonly operate business hours Mondays to Fridays and also over the weekend but the hours for this proposal have not been specified.

RELEVANT HISTORY

- P1197.99 - Demolition/change of use from storage and distribution (B8 Use Class) to Builders Merchants' retail/trade display premises
Permitted dev 06-10-1999
- P1008.93 - Store Building
Apprv with cons 19-11-1993

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 205 properties and representations from 3 neighbouring occupiers have been received comprising 2 letters of objection and 1 letter of support. The comments raising objections can be summarised as follows:

- Increase in pollution, noise and disturbance from traffic on Grenfell Avenue.
- Noise and disturbance during construction.
- Is the development required when there are empty units in other parts of the borough.

The comments in support of the application can be summarised as follows:

- Overall this development will be good for the area and especially the local parade of shops.

Internal/ External Consultees:

Thames Water - no objection.

London Fire Brigade Water Team - no objection.

Lead Local Flood Authority - no objection but will await further details

Environment Agency - no objection.

Historic England - no objection.

Designing Out Crime Officer, Met. Police - no objection.

Regeneration and Partnerships - no comments.

Environmental Health - no objection, recommended standard conditions relating to contaminated land.

Local Highway Authority - no objection, recommended conditions relating to vehicle access, vehicle cleansing and pedestrian visibility splays as well as an additional condition limiting the size of vehicle accessing the site to 7.5 tonnes as anything larger would likely be reversed off the site.

RELEVANT POLICIES

LDF

CP03 -	Employment
CP17 -	Design
DC11 -	Non-Designated Sites
DC16 -	Core and Fringe Frontages in District and Local Centres
DC32 -	The Road Network
DC33 -	Car Parking
DC34 -	Walking
DC35 -	Cycling
DC36 -	Servicing
DC48 -	Flood Risk
DC49 -	Sustainable Design and Construction
DC50 -	Renewable Energy
DC55 -	Noise
DC61 -	Urban Design
DC63 -	Delivering Safer Places
DC72 -	Planning Obligations
SPD01 -	Designing Safer Places SPD
SPD03 -	Landscaping SPD

- SPD07 - Protecting & Enhancing the Borough's Biodiversity SPD
- SPD10 - Sustainable Design and Construction SPD
- SPD11 - Planning Obligation SPD

OTHER

LONDON PLAN - 5.12 Flood risk management

-

LONDON PLAN - 6.5 - Funding Crossrail and other strategically important transport

LONDON PLAN - 7.3 - Designing out crime

LONDON PLAN - 7.4 - Local character

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development would create a new B8 storage unit with 2,532 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £50,640 based on the calculation of £20.00 per square metre.

STAFF COMMENTS

Staff consider that the main issues for consideration in the determination of this application are the principle of development, the scale of the development and the impact on the character and appearance of the area, the impact on the residential amenity of neighbouring occupiers and the suitability of the proposed parking and access arrangements.

PRINCIPLE OF DEVELOPMENT

The former builder's merchant site is 'non-designated' on the Havering proposals map and as such is subject to Policy DC11 of the Development Control Policies Development Plan Document. Policy DC11 states that the Council will:

- Generally resist changes of use to industrial and business use where these would conflict with housing or environmental policies.
- Generally require the redevelopment for housing of commercial sites which become available for development. If this is not feasible, the Council's main concern will be to encourage environmental improvements in conjunction with a commercial redevelopment of the site.

A B8 use would be most suitable in secondary employment areas and Strategic Industrial Locations (SILs), but given there is existing commercial use on the site, no objection is raised to the proposed development in land use terms. The proposal will create the opportunity to improve the existing character and appearance of the site and there is considered therefore to present scope to achieve the environmental improvements envisaged by Policy DC11.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 states that development must respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding context.

The proposed new storage building would form a prominent feature in terms of its visual impact,

particularly with regard to the two main streetscene views; east and west along Rush Green Road and north along Grenfell Avenue.

Within this context the scale, bulk and massing of the building would appear greater in comparison to the traditional two storey terrace fronting Rush Green Road and the detached/ semi-detached houses on Grenfell Avenue located to the east of the site.

However, to the west of Grenfell Avenue and the south of the application site the residential blocks at Sycamore Court and Hammond Court are three-storey in height. It is considered that this suggests a transition in height between the traditional two-storey development and the taller development that dominates the busy Rush Green Road intersection. This is illustrated by the new eight-storey Vickers House residential block located directly opposite to the site and the ten-storey YMCA building which lies just to the west of the application site on the opposite side of the River Rom.

Whilst it is acknowledged that the proposed storage unit would be of substantial scale, bulk and mass, it is considered that it would fit within the context of the surrounding prominent buildings, such that it would reflect the gradual increase in building scale and mass opposite and to the west of the site. The scale of the building as viewed within Rush Green Road is considered to be acceptable and compatible with local character.

In terms of the visual impact in Grenfell Avenue, there is a gradual increase in height progressing north along Grenfell Avenue. In addition there is a clear separation between the neighbouring flatted development and the proposed new building. A sense of openness is maintained at ground floor level owing to the undercroft parking arrangement and the proposal would introduce new planting and landscaping, a low level wall and mesh fencing, which in Staff's view would create a much more sympathetic transition between the residential section of the street and the commercial elements.

Taking all factors into consideration the proposed development is not judged to be overly dominant or visually intrusive in the Grenfell Avenue streetscene.

It is acknowledged that the flank wall of the proposed development would have a degree of visual prominence as viewed from the west along Rush Green Road but would be viewed against the context of the taller YMCA and Vickers House in the vicinity, such that Staff do not judge it to appear out of scale or character. Staff note that the flank boundary has long been characterised by a tall boundary fence that produces a sense of enclosure. The proposed development would provide an opportunity to visually enhance the views along this part of Rush Green Road and involve the removal of the large advertising hoardings and the introduction of new landscaping measures as well as new fencing.

As such Staff consider that the proposed building would, as a matter of judgement, sit comfortably within both the Rush Green Road and Grenfell Avenue streetscene settings.

In terms of design, the building would appear modern and of relatively simple design, incorporating the use of brickwork broken up with rendered sections and glazing particularly along the prominent Rush Green Road frontage and flank elevations with Grenfell Avenue and the River Rom. It is

proposed that a grey coloured flat panel cladding would be used on the upper sections and roof of the building. The final details of materials would be reserved by condition. Overall, the design is considered to be acceptable.

Staff are also of the view that in particular the proposal would enhance the current derelict appearance of the site which has suffered several recent problems including fire damage and fly tipping, although this of itself is not grounds for approval.

Overall, Staff consider that on balance the proposed development would contribute positively to the streetscene at both Rush Green Road and Grenfell Avenue and would serve to maintain and enhance the character and appearance of the area in accordance with Policy DC61.

IMPACT ON AMENITY

Policy DC61 stated that planning permission will not be granted where the proposal results in unacceptable dominance or overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing residential properties.

The main consideration in terms of residential amenity relates to the impact on daylight and outlook for the residents of the two apartment blocks at 1-16 Sycamore Court and 17-22 Sycamore Court located directly to the south of the proposed development site.

The proposed storage unit building would be located approximately 6.1 metres from the side elevation of the residential block at 17-22 Sycamore Court and some 28 metres from the side elevation of the block at 1-16 Sycamore Court.

Whilst the rear elevation of the block at No. 17-22 would overlook the proposed rear car park area, the internal layout of the apartments means that the affected windows serve bathrooms and as such no material harm to amenity is judged to result. This section of the site is currently occupied by a variety of storage and office building and the introduction of the car park would take an element of the commercial development further away from the adjacent residential properties creating a larger buffer. Any floodlighting of the car park area could be controlled by condition.

Given the existing relationships between the blocks at Sycamore Court and the existing buildings on the site, outlook over the side at oblique angles is severely limited. This includes a large screening fence along a section of the southern boundary. As such it is considered that the neighbouring residential blocks at Sycamore Court are already dominated to some extent by the existing buildings left over from the previous builders merchant use. Consequently the occupants of these dwellings already experience a degree of dominance due to the height and positioning of the existing buildings and structures. It is therefore acknowledged that under the current circumstances the occupants of both No.17-22 and No. 1-16 can expect to experience an element of dominance. It is considered that this would also be similar for the occupants of the dwellings on Grenfell Avenue, but to a lesser extent given the relative distances from the site.

The proposed storage building would be located directly north of the residential blocks at Sycamore Court and dwellings on Grenfell Avenue and as such would not result in an overshadowing effect on the the neighbouring properties.

The rear elevation of the storage building would not include any windows limiting any privacy/overlooking issues between the new building and adjacent residential properties.

On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with policy DC61

It is noted that issues of disruption during construction have been raised in representations. This is not considered to be a material planning consideration on which a refusal could be based. A Construction Method Statement is however recommended to be secured through condition.

HIGHWAY / PARKING

The site has a Public Transport Accessibility Level (PTAL) rating of 3 (moderate). However, given the specific nature of the self storage unit use it is considered that the majority of journeys to the site are likely to be undertaken by car.

The supporting Transport Statement provides some analysis of the proposed trip generation, which has been calculated using data from an existing Shurgard self storage facility in Ladbroke Grove, West London, with a larger floor area of 7,820 square metres. In summary the Transport Statement analysis suggests that the proposed storage unit use would result in a slight increase in vehicular trips in comparison to the extant landuse at the site. The report concludes that given the existing use of the Rush Green Road site as a builders merchants this increase is likely to have a negligible effect on the local highway network.

The Local Highway Authority have raised no objections to the scheme.

The site would be accessed via the A124 Rush Green Road only, utilising a new in/out access adjacent to Grenfell Avenue. The adjacent road at Grenfell Avenue will remain closed at the junction with the A124 and the proposed development would take no access from this residential road.

The access road into the site would lead through an undercroft section of the building to a car park and turning head area located in the southern corner of the site. The proposed scheme can demonstrate car parking provision for 16no. vehicles (including 1no. accessible space). Due to the layout of the proposed turning area, Highways have requested that the size of vehicle accessing the site is limited to 7.5 tonnes. Given the nature of the proposed storage unit use the applicant has stated that their customer base would predominantly be made up of small and medium sized local businesses and the remaining units for domestic customers.

The scheme would also include 8 cycle parking spaces with the installation of Sheffield cycle stands for use by both staff and visitors.

Further details of refuse storage and collection would be secured via condition.

SUSTAINABILITY / ENERGY EFFICIENCY

An energy and sustainability report has been submitted with the application, which indicates that the development will meet BREEAM 'Excellent' standards. The Council's Energy Management

Officer has raised no objection to the application and Staff are satisfied that the development adequately addresses energy and sustainability requirements.

FLOOD RISK

The site is located within Flood Zone 1, defined by Table 1 of the National Planning Practice Guidance, Flood Risk and Coastal Change (section 25) as having a low probability of flooding.

Despite the low flood risk to this site, the Flood Risk Assessment (FRA) recommends multiple flood resilience measures that will be implemented. Therefore, the Environment Agency (EA) have raised no concerns regarding this application and are pleased to see that there is no development proposed within 8m of the River Rom. The EA have also recommended that the applicant uses this 'buffer zone' to enhance the ecological value of the river corridor by planting the area with native plant species. This approach is in line with the requirements of Local Policy, the River Basin Management Plan, London Plan: Blue Ribbon Network and the Water Framework Directive.

Some limited details have been provided by the applicant in relation to the installation of Sustainable Drainage Systems (SuDS) indicating that permeable surfaces, infiltration techniques and tanked systems will be incorporated into the development. Whilst appropriate to the development, the proposed measures is considered to be lacking in detail and as such the Lead Local Flood Authority have requested that full details are provided. As such full details of the SuDS shall be secured via condition.

LAND CONTAMINATION

Following review of the Phase II Contamination Report submitted with the application, Environmental Health have recommended the submission of a Phase III Remediation Strategy Report, followed by a Verification Report that demonstrates the effectiveness of the remediation carried out. This is in order to address specific contaminant linkages at the site.

KEY ISSUES / CONCLUSIONS

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

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

Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

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. 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.

3. SC09 (Materials) (Pre Commencement Condition)

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. SC11 (Landscaping) (Pre Commencement Condition)

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. SC13B (Boundary treatment) (Pre Commencement)

Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

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

6. SC63 (Construction Methodology) (Pre Commencement)

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

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

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

Reason:-

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

7. SC62 (Hours of construction)

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

Reason:-

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

8. Restriction on vehicles over 7.5 Tonnes

Following completion of the development hereby approved vehicles over 7.5 tonnes shall not be permitted to access or use the site.

Reason:-

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

9. No access from Grenfell Avenue

Grenfell Avenue shall not be used by any construction traffic during construction of the development hereby approved.

Reason:-

To protect the amenity of neighbouring residents and in the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

10. Removal of Advertising Hoardings

The advertising hoardings on the western boundary adjacent to the River Rom shall be removed before the development hereby approved is first brought into use to the full satisfaction of the Local Planning Authority.

Reason:-

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

11. Sustainable Drainage Systems (SuDS)

Prior to the commencement of the development hereby approved, full details of the Sustainable Drainage Systems (SuDS) to be incorporated into the scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The SuDS shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To ensure that drainage and discharge from the site is managed and maintained, and that the development accords with the Development Control Policies Development Plan Document Policies DC48 and DC51 and the SuDS Developer Guide.

12. SC06 (Parking provision)

Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and 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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

13. SC14A (Visibility splay)

The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:-

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

14. Vehicle Access (Pre Commencement Condition)

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of development.

Reason:-

In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

15. New Access

The proposed new access to the site shall be constructed and completed and the existing site access from Rush Green Road removed to the satisfaction of the Local Planning Authority before the development hereby approved is first brought into use.

Reason:-

In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

16. SC57 Wheel washing (Pre Commencement)

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. SC82 (External lighting) (Pre Commencement)

No external lighting shall be installed at the site until full external lighting details have been submitted to and approved in writing by the Local Planning Authority. The approved external lighting scheme shall be installed prior to occupation of the building and operated in 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.

18. SC65 (Contaminated land condition No. 2) (Pre Commencement)

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 III (Remediation Strategy) Report, as the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

b) Following completion of measures identified in the approved remediation scheme mentioned in 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 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.

19. Contaminated Land Part 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.

20. Ground Levels

The development hereby approved shall not commence until details of the existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In order to ensure the development has a satisfactory appearance.

21. SC58 (Refuse and recycling)

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

Reason:-

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

22. SC59 (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.

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. Approval and CIL (enter amount)

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 £50,640 (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. Highways Informatives

The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

4. Thames Water informative

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

5. Non Standard Informative 1

With regard to the landscaping of the areas of the site adjacent to the River Rom it is recommended that the applicant uses this 'buffer zone' to enhance the ecological value of the river corridor by planting the area with native plant species. This approach is in line with the requirements of Local Policy, the River Basin Management Plan, London Plan: Blue Ribbon Network and the Water Framework Directive.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

28 January 2015

Subject Heading:

P1154.15 – Crown Public House, London Road, Romford

Change of Use from A4 (drinking establishment) to C3 (dwelling houses). Part demolition of existing public house and new construction to provide 24 No. apartments. (Received 07/08/15 and revisions received 01/10/15)

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 proposal is for the change of use and part demolition of an existing public house and new construction to provide 24 No. apartments with associated amenity and car parking.

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

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

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 1867m² (2127m² minus existing floor area of 260m²) and amounts to £37,340.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £18,000 towards the provision of affordable housing in accordance with LDF Core Strategy and Development Control Policies Development Plan Policies DC6 and DC72
- A financial contribution of £144,000 to be used for educational purposes
- A financial contribution of £24,000 for the improvement of a quieter cycling route between the development and Romford Town Centre.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.

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

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

1. Time Limit

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

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

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 flats hereby permitted are first occupied, the car parking provision shall be laid out to the satisfaction of the Local Planning Authority and be made available for 24 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

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external finishing materials to be used. Submission of

samples prior to commencement will safeguard the appearance of the premises and the character of the immediate area and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

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. Refuse and Recycling

The development hereby permitted shall not be carried out otherwise than in complete accordance with the refuse and recycling storage details as shown on drawing no. 14270_PL003 Revision E.

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

The development hereby permitted shall not be carried out otherwise than in complete accordance with the cycle storage details as shown on drawing no. 14270_PL003 Revision E.

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

8. Contaminated Land (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 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.

9. 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: 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. Noise Insulation (Flats)

The building(s) shall be so constructed as to provide sound insulation of 43 DnT,w + Ctr dB (minimum value) against airborne noise and 64 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties with Development Control Policies Development Plan Document Policies DC55 and DC61.

11. Hours of Construction

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

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

12. External Lighting Scheme

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved 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. Wheel Washing

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

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

The submitted scheme will provide the following details:

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

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

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

14. Boundary Screening/ Fencing

Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent

undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

15. Secure By Design

Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be 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 (DOCOs), the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in 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.

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

17. Pedestrian Visibility Splay

The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason: In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

18. Energy 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

19. Accessible and Adaptable Dwellings

At least 3 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.

20. Water Efficiency

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations – Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan

21. Vehicle Access

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of development.

Reason: In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

22. Obscure Glazing

The proposed first and second floor windows in the northern elevation of the development along Spring Gardens serving living rooms and bedrooms (drawing no. 14270_PL003 Rev. D) shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) shall remain permanently fixed shut and thereafter be maintained.

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

23. Balcony condition

The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

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

24. Air Quality

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

- a) A full air quality assessment for the proposed development to assess the existing air quality in the study area (existing baseline)
- a) The air quality assessment shall include a prediction of future air quality without the development in place (future baseline).
- b) The air quality assessment shall predict air quality with the development in place (with development).
- c) The air quality assessment should also consider the following information:
 - A description containing information relevant to the air quality assessment.
 - The policy context for the assessment- national, regional and local policies should be taken into account.
 - Description of the relevant air quality standards and objectives.
 - The basis for determining the significance of impacts.
 - Details of assessment methods.
 - Model verification.
 - Identification of sensitive locations.
 - Description of baseline conditions.
 - Assessment of impacts.
 - Description of the construction and demolition phase, impacts/ mitigation.

- Mitigation measures.
- Assessment of energy centres, stack heights and emissions.
- Summary of the assessment of results.

For further guidance see, Guidance on land-use planning and development control: Planning for air quality, EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: Insufficient information has been supplied with the application to judge the impact of the development on air quality. 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 DC52.

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent via email on 18 August 2015. The revisions involved amendments to the car parking and building positions. The amendments were subsequently submitted on 29 September 2015.
3. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £37,340.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
4. 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.

5. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 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.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.
7. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
8. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. **Site Description**

- 1.1 The application relates to The Crown Public House and is located on the corner of London Road and Spring Gardens. The site is approximately 0.1704 hectare. The Crown Public House is included in Havering's Heritage Asset Register of buildings of local interest. The building has been previously extended to the side and rear.

- 1.2 The ground floor of the building is currently trading as a public house and the upper floors currently provide short term bedsit accommodation.
- 1.3 The character of the immediate locality is mixed with semi-detached bungalows to the north, an open car park to the east, Crowlands Primary School across London Road to the south and a 1930's 3-storey parade to the west.

2. Description of Proposal

- 2.1 The submission seeks planning approval for a change of use of the host building from A4 (drinking establishment) to C3 (dwelling houses) and additional extensions to provide 24 No. apartments. The new apartments would consist of 12 No. 1-bed units and 12 No. 2-bed units.
- 2.2 The proposed development would include the retention of the original three storey primary façade to London Road and the three storey secondary façade to Spring Gardens. A single storey flat roof side extension to London Road and a two storey side extension to Spring Gardens are to be demolished.
- 2.3 The application proposal provides for a four storey extension reducing down to three storeys close to the flank boundaries from the retained building to both London Road and Spring Gardens. The flat roofed 4th storey will be set back from the front building lines in order to reduce the overall bulk mass. The proposed side addition fronting London Road will be set approximately 1.8m from the western boundary and 20m from the northern boundary along Spring Gardens.
- 2.4 Amenity space provision is in the form of balconies to the rear elevations and communal amenity areas to the rear of the proposed buildings.
- 2.5 On-site parking will be provided for 9 no. vehicles to the front of the property along London Road and 15 no. vehicles to the rear of the site. Access to the front of the property would be gained via existing crossovers and a new crossover would be created to provide access to the rear parking area.
- 2.6 Refuse storage and secure cycle storage providing space for up to 36 no. cycles would be provided in the ground floor of the building with access of Spring Gardens.

3. Relevant History

- 3.1 P1071.11 - Part change of use of existing car park to hand car wash – Temporary approval

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 78 properties. A petition with 239 signatures and 13 letters of objection has been received. The objections raised can be summarised as follows:

- Will destroy a local community as a result of the loss of the pub
- Loss of social venue
- More residential units will put more strain on local services
- Not enough parking
- Anti-social behaviour
- Already problems with parking in the surrounding area.

4.2 The following consultation responses have been received:

- Essex and Suffolk Water – no objection.
- London Fire Department – no objection.
- Designing Out Crime Officer – raised an objection in relation to the location and the amount of access provided to the cycle and bin storage from a security perspective
- Environmental Health – no objection, recommended conditions in relation to contaminated land and noise insulation.
- Highways – objects to the application however this can be overcome if the pedestrian visibility splay issues are dealt with and a S106 cycling contribution is provided in mitigation for the low parking provision within an area with a very poor PTAL

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC6 (Affordable Housing), DC11 (Non-designated Sites), DC27 (Provision of Community Facilities), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

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

5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated

land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) of the London Plan, are material considerations.

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

6. Staff Comments

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

6.2 Principle of Development

- 6.2.1 The provision of additional housing is consistent with the NPPF and Policy CP1.

- 6.2.2 This is a brownfield site that is not designated for any other purpose and the preferred use is for housing. There are no specific planning policies which require the retention of public houses in the Borough. Nonetheless, on appeal the Secretary of State has determined that some public houses, due to their use for community gatherings in addition to their use as drinking establishments and their unique provision of such facilities within remote village locations, should not be removed to allow alternative development. Policies CP8 and DC27 indicate that community facilities should be provided and retained within the Borough. There is a community use of the Crown Public House in addition to its use as a purely drinking establishment, nonetheless, Staff consider that there are a number of alternatives in the locality of public houses and other community facilities in Romford, such that the loss of the ancillary community use of the public house would not be contrary to policy.

6.3 Density/Layout

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

- 6.3.2 The proposal would provide 24 no. residential apartments at a density equivalent to approximately 141 dwellings per hectare. This is in excess of the aims of Policy DC2 which states that a dwelling density of between 50 to 80 dwellings per hectare would be appropriate in this location. The number

of units per hectare is in excess of the recommended range however, density is only one measure of acceptability and there are other relevant considerations, including the design and layout, impact on the character and appearance of the area and whether there is an acceptable relationship with adjoining properties.

- 6.3.3 In terms of housing mix, this is for one, two and three-bed properties which would meet the needs of the Borough as identified by LDF Policy DC2 and the Council's Housing Needs Assessment.
- 6.3.4 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 require that new residential development conforms to nationally described minimum internal space standards.
- 6.3.5 The proposal would provide residential units with varying floor space sizes all of which would 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 Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.
- 6.3.7 All the upper floor flats have at least a balcony to the rear elevation or a terrace to the front elevation with the exception of the proposed flats situated in the retained building. The balconies and terraces have individual floor spaces of approximately 6m². The ground floor flats would be provided with external patio areas.
- 6.3.9 An area of approximately 137m² to the rear of the building would be landscaped and set out as communal shared amenity space. With the provision of the balconies and terrace areas as well as the communal garden it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space.
- 6.3.9 It is considered that the proposed amenity space would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants the flats. All of the proposed flats would have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with Policy DC61 and the Residential Design SPD.
- 6.3.10 In terms of community safety and security the Borough Designing Out Crime Officer has been consulted and has raised concerns regarding the access arrangement for the refuge and cycle storage. The applicant has taken the comments on board and has revised the layout in order to address the concerns.

6.4 *Design/Impact on Streetscene*

- 6.4.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.4.2 The proposal has been carefully considered to reduce any perceived mass or impact. The proposed extensions are lower at the flank boundaries of the site and rise towards the retained building whilst making sure that the roof line sits below the existing parapet line ensuring that the identity and form of the retained building is clearly evident. The proposed additions also enforce a building frontage to London Road by following the existing building line of the adjacent 3-storey building. Although the proposed addition along Spring Gardens would be higher than that of the adjacent bungalows, Staff do not consider this to result in an unacceptable impact on the streetscene. The proposal would leave a separation distance of approximately 20m between the proposed extension and the nearest bungalow. The separation distance is considered to be sufficient for the extensions to be visually seen as part of the retained building. The separation distance as well as the reduced height closer to the boundary of the bungalow is considered to mitigate any perceived impact on the Spring Gardens streetscene.
- 6.4.3 Staff further consider the design and articulation of the elevations further reduces the perceived bulk whilst adding visual interest and depth to the building.
- 6.4.4 In order to retain the stature of the public house, the new additions have been design to be subservient. This has been emphasized by recessed terrace zones between the new and the old. The new roof line has also been design with this in mind. The tiered nature of the roof forms visually integrates the new roof scape gently with the existing building roof.
- 6.4.5 To further respect the dominant form of the public house, the elevational treatment of the new development flanking the traditional red brick of the public house will be finished in a different colour brick. The contrasting brick colour would act to visually differentiate the two developments and therefore retain the existing architectural merit of the public house.
- 6.4.6 The proposed development is considered to be sympathetic to both the immediate and wider setting, resulting in a positive impact on the character and appearance of the streetscene and surrounding area in accordance with policy DC61 and the Residential Design SPD.

6.5 *Impact on Amenity*

- 6.5.1 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance. Policy DC61

reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overlooking or loss of privacy to existing properties.

- 6.5.2 The main consideration in terms of residential amenity relates to the impact on the occupants of the bungalows situated to the north of the subject site. The subject property is bordered by a Spring Gardens, a car park and commercial properties and upper floor flats to the west and London Road and Crowlands Primary School to the south.
- 6.5.3 There is a separation distance of approximately 33m between the rear windows of the proposed development along London Road and the nearest residential bungalow to the north. The proposal does show flank windows to the proposed extension along Spring Gardens however these windows are secondary windows and a condition will be added to have them obscure glazed and fixed shut with the exception of the top hung fanlights. Staff do not consider the proposal would have an unacceptable impact as a result of overlooking
- 6.5.4. The proposed development is neither considered to have an unacceptable impact in terms of loss of light and outlook given the separation distances to nearby residential development.
- 6.5.5 It is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

6.6 *Environmental Issues*

- 6.6.1 Environmental Health has raised no objection to the proposal; however the site is located within a 250m buffer zone of a factory and work site and 50m buffer zone of industrial sites. On this basis it is recommended that a contamination condition be added in the event of an approval. Environmental Health also requests a condition for Air Quality in the event of an approval.

6.7 *Parking and Highway Issues*

- 6.7.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) is set at 1b meaning that the site is classified as having relatively poor access to public transport. Therefore flatted development in this location is required to provide higher car parking provision of 1.5-2 spaces per unit.
- 6.7.2 The proposal can provide a total of 24 no. off-street car parking spaces within the site to cater for the proposed 24 no. residential flats. The car parking provision would be arranged to the front of the development (9 spaces) and to the rear of the development (15 spaces). The parking

provision would result in a ratio of 1 parking space per unit which is considered to fall short of the requirement.

6.7.3 A Transport Statement has been submitted with the application. The Statement (TS) examines the potential for on-street parking in the area and considers there to be sufficient on-street capacity. The TS also makes extensive reference to the local walking and cycling network (especially on quiet roads) which contribute to the site's sustainability in transport terms.

6.7.4 The Highways Team accepts that there are quieter routes available in the area, but for cycling, London Road is the only lawful option. In order to mitigate the shortfall in parking spaces and strengthen the cycling network a S106 cycling contribution of £24,000 is requested towards the improvement of a quieter cycle route between the development and Romford Town Centre.

6.7.5 The contribution would cover the following works;

- Creation of a quieter cycling link between the development site and Mawney Road using Spring Gardens and Marks Road, with a connection to Palm Road.
- Support of the existing scheme for cycling permeability works within the Romford Ring Road

The trigger would be prior to commencement and the funds to be utilised within 36 months. The reason for the contribution is to improve the site's connectivity and accessibility to Romford Town Centre to offset the low levels of on-site parking provision.

6.7.6 Although the site is outside of the Romford PTAL zone, the site is nonetheless relatively close to Romford Town Centre and there are other developments nearby with a similar level of parking provision. Staff consider on balance, having regard to the proposed improvement of cycle connectivity and the location of the site in relation to Romford Town Centre that parking provision of one space per unit is justified.

6.7.7 Refuse storage and secure cycle storage providing space for up to 36 no. cycles would be provided in the ground floor of the building with access from Spring Gardens. Conditions are recommended to ensure that the proposals are implemented in accordance with the submitted details in the event of an approval.

6.8 *Affordable Housing*

6.8.1 In terms of affordable housing the aim is to achieve 50% across the borough in accordance with LDF policies CP2 and DC6. The requirement on site would therefore be 12 units. LDF Policy DC6 seeks the maximum reasonable amount of contribution taking account of viability amongst a range of factors. This is supported by Policy 3.12 of the London Plan which states that the maximum reasonable amount of affordable housing should

be sought when negotiating on individual schemes; however, negotiations should also take into account individual site circumstances, including viability. The applicant has submitted a viability appraisal with the application that seeks to demonstrate that the development would be unviable for affordable housing. However, the valuation has been independently appraised and that appraisal has concluded that the scheme can support a sum of £42,000 towards off site affordable housing provision.

6.8.2 This figure excluded the £24,000 requested by Highways as discussed earlier in this report. It has therefore been agreed that this contribution needs to be deducted from the £42,000 which gives a revised sum of £18,000. This figure will be secured by a S106 legal agreement.

6.9 *Mayoral Community Infrastructure Levy*

6.9.1 The proposed development will create 24 no. new residential units with 1,867 square metres of new gross internal floorspace (2127m² minus existing floor area of 260m²). Therefore the proposal is liable for Mayoral CIL and will incur a charge of £37,340.00 subject to indexation based on the calculation of £20.00 per square metre.

6.10 *Infrastructure Impact of Development*

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

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

6.10.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

6.10.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.

6.10.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 6.10.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.10.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.10.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.10.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £6000 for educational purposes would be appropriate.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. There are margins of judgement in respect of the amount of parking provided but on balance staff consider the proposal to be acceptable in this respect.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is

therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

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

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, including accessible and adaptable units and wheelchair adaptable. The development also includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 7 August 2015, revision received on 1 October 2015.

REGULATORY SERVICES COMMITTEE

28 January 2016

REPORT

Subject Heading:

P1407.13 Land adjacent to Wennington Hall Farm, Rainham

Application for the winning and working of minerals, the erection of processing plant, workshop, site office, welfare unit, weighbridge and wheel cleaner and other ancillary buildings with restoration using pre-treated imported suitable inert materials to return the land to agricultural use

Ward:

Rainham & Wennington

Report Author and contact details:

Simon Thelwell
Planning Manager, Projects and Regulation
simon.thelwell@havering.gov.uk
01708 432685

Policy context:

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

Financial summary:

Not relevant

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

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

SUMMARY

This is an application for progressive mineral extraction together with the subsequent importation of inert materials to restore the land back to existing levels and agricultural use.

This application was submitted to the London Borough of Havering for determination in November 2013. Following consultation, the applicant was required to undertake some additional studies which have resulted in a number of amendments to the proposal as originally submitted. The Council have re-consulted on these changes and it is now considered that staff are in a position to bring forward a recommendation to Members.

The application site covers approximately 26 hectares and is for the extraction of approximately 1.35 million tonnes of sand and gravel over a seven year period. Site restoration would be progressive but would continue for an additional two year period post final extraction. The void created from the mineral extraction would require the importation of some 950,000m³ (1.7 million tonnes) of inert material. The applicant proposes an aspect of recycling/treatment of this inert material, to remove any secondary aggregate, and has suggested that up to 2.5 million tonnes of material may therefore be required to facilitate restoration.

The London Plan requires Havering to maintain a sand and gravel landbank of at least 1.75 million tonnes throughout the plan period (until to 2031). Even with the recently permitted reserve at nearby East Hall Farm, the Borough does not have a sufficient landbank to comply with the apportionment figure detailed in the London Plan. Panning policy dictates that the Council (as the mineral planning authority), in the circumstances, should generally support proposals for mineral bearing development subject to no significant adverse environmental impacts.

This application has been assessed on its individual merits, but in context of potential accumulation, and it is considered that the development could effectively occur without significant impacts to the environment or locality. In consideration of this and that the site would effectively achieve a sufficient landbank within the Borough it is recommended that planning permission be granted, subject to conditions and accompanying legal agreement.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to a planning obligation under Sections 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Adherence to a lorry routing agreement, to be approved in writing by the Local Planning Authority for mineral and waste prior to commencement, to ensure that heavy goods vehicles associated with the proposed development do not

travel through Rainham, Wennington Village, or to the north of the site entrance (unless fulfilling a job/contract in such an area);

- The payment of £72,726 towards the cost of highway maintenance; and
- The creation of a local liaison group.
- The Council's reasonable legal fees for completion of the agreement shall be paid prior to the completion of the agreement irrespective of whether or not it is completed; and
- The Council's planning obligation monitoring fees shall be paid prior to completion of the agreement.

It is therefore recommended that the Head of Regulatory Services be authorised to negotiate and agree 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/Commencement – The development to which this permission relates must be commenced no later than five years from the date of this permission. In this regard:
 - a) Written notification of the date commencement shall be sent to the Local Planning Authority for waste and minerals within seven days of such commencement.

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). Five years has been suggested to account for the two years of hydrological monitoring required to be undertaken before the development can commence.

2. Compliance with Submitted Details – The development hereby permitted shall be carried out in complete accordance with plans, particulars and specifications submitted and hereby approved (as per page one of the decision notice).

Reason: The 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 policy DC61 of the Development Control Policies Development Plan Document.

3. Duration and Cessation – The development hereby permitted shall be limited to a period of nine years, from the notified date of commencement, by which time all operations shall have ceased and the site restored in accordance with the approved scheme and subject to an aftercare period of five years.

Reason: To ensure that the development is carried out in accordance with the submitted details, to minimise the duration of disturbance, ensure restoration within a timely manner and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC47 and DC61 of the Development Control Policies Development Plan Document and policies 2.7, 5.18, 5.20, 7.4, 7.15, 7.16 and 7.22 of the London Plan.

4. Phasing – The development shall be undertaken on a phased basis, as indicated on the submitted plans, commencing in phase one and progressing in numerical order. With the exception of phase one, extraction works shall not commence in a phase until extraction has been completed in the previous phase.

Reason: In the interests of ensuring the site is restored progressively, to limit the potential amenity impacts and to comply with policies CP10, CP12, CP13, CP14, CP15, CP16, CP17, DC32, DC41, DC42, DC43, DC45, DC47, DC48, DC51, DC52, DC55, DC56, DC59 and DC61 of the Development Control Policies Development Plan Document and policies 2.7, 2.8, 5.12, 5.13, 5.14, 5.15, 5.18, 5.20, 6.3, 6.11, 6.12, 7.4, 7.14, 7.15, 7.16 and 7.22 of the London Plan.

5. Removal of Ancillary Development – Any buildings, plant, machinery, foundation, hard standing, roadway, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be removed from the site when no longer required for the purpose for which built, erected or installed and in any case not later than nine years from the date of notified commencement.

Reason: To enable the planning authority to adequately control the development, to ensure that the land is restored to a condition capable of beneficial use and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC51, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document and policies 5.12, 5.13, 5.14, 7.4, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

6. Early Restoration in the Event of Suspension of Operations – In the event that operations are terminated or suspended for a period in excess of 12 months, the excavated area and other operational land shall be restored in accordance with the restoration scheme as approved within 12 months of the expiry of the 12 month period to be advised by the Local Planning Authority for minerals and waste.

Reason: To enable the planning authority to adequately control the development, to ensure that the land is restored to a condition capable of beneficial use in the event of suspension and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC60 and DC61 of the Development Control Policies Development Plan Document and policies 5.12, 5.13, 5.14, 5.18, 5.20, 7.4, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

7. Export/Import Throughput Restriction – The throughput of mineral shall not exceed 200,000 tonnes per annum and no more than 1.35 million tonnes of mineral shall be exported during the life of the development. Furthermore, no more than 300,000 tonnes of infill material shall be imported per annum and no more than 2.5 million tonnes during the life of the development. A maximum of

100,000 tonnes of the material imported shall be exported as secondary aggregate per annum.

Reason: To ensure the development is carried out in accordance with the submitted details, to minimise the harm to the environment and to comply with policies CP10, CP12, CP13, CP14, CP15, CP16, CP17, DC32, DC39, DC41, DC42, DC43, DC45, DC48, DC52, DC55, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policies W1, W4 and W5 of the Joint Waste Development Plan and policies 2.8, 4.1, 5.12, 5.13, 5.14, 5.15, 5.16, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

8. Importation Restriction – Only inert waste material, which has been detailed and defined within of the approved application details, shall be imported to the site for the purposes of recycling/treatment, infilling and restoration.

Reason: To ensure that material with no beneficial use to the site is not processed on site, that the site use does not develop beyond that assessed, that waste materials outside of the aforementioned would raise alternate and additional environmental concerns and to comply with policies CP12, CP13, CP14, CP15, DC41, DC42, DC43, DC45, DC47, DC48, DC51, DC53, DC59 and DC61 of the Development Control Policies Development Plan Document; policies W1, W4 and W5 of the Joint Waste Development Plan and policies 5.12, 5.13, 5.14, 5.16, 5.18, 5.20, 5.21, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

9. Records of Throughput – From the date of commencement the operator shall maintain records of their monthly output and imports and such records shall be made available to the Local Planning Authority for minerals and waste, upon request, within 14 days.

Reason: To allow the planning authority to adequately monitor activity at the site and to comply with policies CP13, DC41, DC42 and DC45 of the Development Control Policies Development Plan Document; policies W1 and W4 of the Joint Waste Development Plan and policies 5.16, 5.18 and 5.20 of the London Plan.

10. Material Storage – With the exception of the topsoil, subsoil, and overburden bunds and storage indicated on the approved plans, no material, either extracted from the site or imported for infilling, shall be stored beyond the extraction void(s), and within the voids shall not exceed the heights of the nearest void walls.

Reason: In the interests of visual amenity and to comply with policies CP13, CP14, CP15, CP16, CP17, DC41, DC42, DC45 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.15, and 7.16 of the London Plan.

11. Vehicle Movements – The total number of heavy goods vehicle movements associated with the development hereby permitted shall not exceed the following limits:

270 movements (135 in and 135 out) per day Monday to Friday; and
136 movements (68 in and 68 out) per day on Saturdays

No vehicle movements shall take place outside the hours of operation authorised and on Sundays and Public and Bank Holidays.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with policies CP10, CP12, CP13, CP14, CP15, DC32, DC39, DC41, DC42, DC43, DC45 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.16, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12 and 6.14 of the London Plan.

12. Records of Vehicle Movements – A written record shall be maintained at the site office of all movements in and out of the site by heavy goods vehicles. Such records shall contain the vehicles' weight, registration number and the time and date of the movement and shall be made available to the Local Planning Authority for minerals and waste, upon request, within 14 days.

Reason: To allow the planning authority to adequately monitor activity at the site and to comply with policies CP10, CP12, CP13, CP14, CP15, DC32, DC39, DC41, DC42, DC43, DC45 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.16, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12 and 6.14 of the London Plan.

13. Hours of Working – Except in emergencies, when it is expected that the Local Planning Authority for minerals and waste would be notified as soon as possible, operations authorised by this permission shall only be undertaken during the following times:

08:00 hours to 18:00 hours Monday to Friday; and
08:00 hours to 13:00 hours on Saturdays

And at no other times including Sundays, Bank or Public Holidays.

Activities in the southern half of the site (Phases 6-10) shall however only take place between the following times:

09:00 hours to 18:00 hours Monday to Friday; and
09:00 hours to 13:00 hours on Saturdays

And at no other times including Sundays, Bank or Public Holidays.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with policies CP12, CP13, CP14,

CP15, DC41, DC42, DC43, DC45, DC52, DC55, DC56 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.16, 5.18, 5.20, 7.4, 7.14, 7.15 and 7.16 of the London Plan.

14. Archaeology – No development shall take place until a written scheme of investigation for an archaeological mitigation and recording strategy has been submitted to and agreed in writing by the Local Planning Authority for minerals and waste. The scheme shall include:
- a) A written scheme of investigation for further archaeological evaluation to identify the significant areas of archaeological remains within the application area;
 - b) A written scheme of investigation to include a method statement for preserving in-situ areas of archaeological remains of high importance; and
 - c) A written scheme of investigation for a programme of archaeological recording of the remaining archaeological area of the site not included in b).

Each written scheme of investigation shall include:

- a) A statement of significance, objectives, methods and a programme of fieldwork, together with nomination of competent persons and organisation to undertake the agreed works; and
- b) Post-excavation assessment, provision for the analysis and publication and dissemination of the project and the deposition of the resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the written scheme of investigation.

Reason: To ensure that the site is fully investigated prior to extraction, appropriate measures can be put in place to retain features of high importance and to comply with policies CP13, CP18, DC42, DC61 and DC70 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.20, 7.4, 7.8 and 7.20 of the London Plan.

15. Water Quality and Quantity Monitoring – No development shall take place until a proposal to carry out baseline water quantity and quality monitoring for two years, prior to extraction of mineral, has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The monitoring scheme thereafter approved shall be implemented on-site and an annual monitoring report submitted to the Local Planning Authority for minerals and waste for approval.

Reason: To ensure that the potential implications of the development are fully investigated prior to extraction, appropriate measures can be put in place to ensure that the development does not impact on the quantity and quality of discharge from the site and/or nearby ecological designations and to comply with policies CP13, CP15, CP16, CP17, DC42, DC47, DC48, DC51, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies

Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.13, 5.14, 5.15, 5.20, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

16. Hydrological Monitoring Plan – No development shall take place until an updated hydrological monitoring and mitigation plan has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. This plan shall seek to mitigate for any adverse hydrological and water quality impacts, if they arise, during the development, and mitigation should include measures to suspend quarry operations, until such impacts are resolved. The monitoring plan shall furthermore include a chemical suite assessment which includes the waste acceptance criteria proposed to define inert waste and it is suggested that the plan should seek to propose more down grade boreholes, to ensure that monitoring can be maintained during the entire development. The plan thereafter approved shall be implemented on-site and an annual monitoring report submitted to the Local Planning Authority for minerals and waste for the life of the site and the aftercare period.

Reason: To ensure that the potential implications of the development are fully investigated prior to extraction, appropriate measures can be put in place to ensure that the development does not impact on the quantity and quality of discharge from the site and/or nearby ecological designations and to comply with policies CP13, CP15, CP16, CP17, DC42, DC47, DC48, DC51, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.13, 5.14, 5.15, 5.20, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

17. Drainage – The development hereby permitted shall be undertaken in accordance with the drainage strategy outlined within the submitted Hydrogeological Risk Assessment, dated February 2014. Prior to implementation of the drainage strategy:
- a) Details of the proposed flow control device to be fitted to ensure discharge at the pre-development rate of 297 l/s for a 1 in 100 year 6 storm event shall be submitted to and approved in writing by the Local Planning Authority for minerals and waste. The approved details thereafter shall be implemented on-site and maintained for the life of the development hereby permitted.

Reason: In the interests of flood risk and ensuring that the development does not impact on the quantity and quality of discharge from the site and/or nearby ecological designations and in accordance with policies CP13, CP15, CP16, CP17, DC42, DC47, DC48, DC51, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.13, 5.14, 5.15, 5.20, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

18. Land Contamination – No works shall take place in relation to any of the development hereby approved (except works required to secure compliance with this condition) until the following Contaminated Land reports (as applicable) are submitted to and approved in writing by the Local Planning Authority for waste and minerals:

- a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
- b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority for minerals and waste 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 minerals and waste 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 for minerals and waste; and
- e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the

development accords with policies CP13, CP15, CP16, CP17, DC42, DC47, DC53, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.14, 5.20, 5.21, 7.19, 7.20, 7.21 and 7.22 of the London Plan.

19. Advance Planting – No development shall take place until details of the proposed advance planting works have been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The details submitted shall seek to set out that proposed together with timing of planting and management. No extraction works shall commence into the approved details have been implemented.

Reason: To ensure that planting mitigation is installed prior to the development commencing, in the interests of public amenity and landscape and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

20. Retention of Soils – All topsoil, subsoil indigenous to the site and soil making material imported shall be retained on the site and used in the approved restoration scheme.

Reason: To prevent the loss of soil, ensure that material imported is where possible utilised in the restoration and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC41, DC42, DC43, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policies W1, W4 W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.16, 5.18, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

21. Soil Handled in a Dry and Friable Condition – No topsoil or subsoil shall be stripped or handled unless it is a dry and friable condition and no movement of soils shall take place during the months of November to March (inclusive); when the moisture content of the upper level of the soil is equal to or greater than at which the soil becomes plastic; and when there are pools of water on the soil surface.

Reason: To minimise soil compaction and structural damage, to assist in the final restoration and to comply with CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

22. Soil Movement Scheme – No stripping or handling of topsoil or subsoil shall take place until a scheme of soil movement and scheme of machine movements for the stripping and replacement of soils has been submitted to and approved in writing by the Local Planning Authority for minerals and waste .

The scheme shall be submitted at least three months prior to the expected commencement of soil stripping; and clearly identify the origin, intermediate and final location of soils for use in agricultural restoration together with details of quantities, depths and areas involved. The development shall be implemented in accordance with the approved scheme.

Reason: To ensure the retention of existing soils on the site for restoration purposes, to minimise the potential damage to soils, to minimise the impact of the development on the locality and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

23. Stripping of Top and Subsoil – No excavation shall take place nor shall any of the site be traversed by heavy vehicles or machinery for any purpose or operation (except for the purpose of stripping that part or stacking of topsoil in that part) unless all available topsoil and subsoil has been stripped from that part of the site and stored in accordance with the approved details.

Reason: To minimise soil compaction and structural damage, to assist in the final restoration and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

24. Maintenance of Bunds – No development shall take place until details for the forming, planting and maintenance of soil bunds to the site have been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The development shall be implemented in accordance with the approved details.

Reason: To protect the amenities of local residents, to screen the development in the interests of visual amenity and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

25. Notification of Commencement of Soil Stripping – The applicant shall notify the Local Planning Authority for minerals and waste at least five working days in advance of the intention to start stripping soils from any part of the site or new phase of working.

Reason: To allow the planning authority to monitor progress at the site, to minimise structure damage and soil compaction and structural damage, to assist in the final restoration and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of

the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

26. Notification of Soil Placement – The applicant shall notify the Local Planning Authority for minerals and waste at least five working days in advance of the commencement of the final subsoil and topsoil placement on each phase, or part phase, to allow a site inspection to take place.

Reason: To allow the planning authority to monitor progress at the site, to minimise structure damage and soil compaction and structural damage, to assist in the final restoration and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

27. Final Soil Coverage – The uppermost 0.5m of the infill material shall be free from rubble and stones greater than 150mm in diameter and shall be both graded with the final tipping levels hereby approved and ripped using appropriate machinery. The infill material shall be covered with a minimum of 0.8m of even depth subsoil and 0.4m of top soil in the correct sequence. The finished surface shall be left free from rubble and stones greater than 100mm in diameter which would otherwise hinder cultivation.

Reason: To ensure that the site is properly restored, can effectively be brought into a beneficial restoration use and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

28. Final Landform – Final landform and surface restoration levels shall accord with the landform, and contours shown on the approved restoration plan.

Reason: To ensure proper restoration of the site and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

29. Aftercare Scheme – An aftercare scheme detailing the steps that are necessary to bring the land to the required standard for agricultural use shall be submitted to and approved in writing by the Local Planning Authority for minerals and waste prior to commencement of infilling. The submitted Scheme shall:

- a) Provide an outline strategy in accordance with paragraph 57 the Planning Practice Guidance for the five year aftercare period. This shall broadly outline the steps to be carried out in the aftercare period and their timing within the overall programme.

- b) Provide for a detailed annual programme, in accordance with paragraph 58 to the Planning Practice Guidance to be submitted to the planning authority not later than two months prior to the annual Aftercare meeting.
- c) Unless the Local Planning Authority for minerals and waste approve in writing with the person or persons responsible for undertaking the Aftercare steps that there shall be lesser steps or a different timing between steps, the Aftercare shall be carried out in accordance with the submitted Scheme.

The development shall be implemented in accordance with the approved aftercare scheme.

Reason: To ensure the satisfactory restoration of the site for agriculture and to comply with policies CP13, CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC59, DC60 and DC63 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19, 7.21 and 7.22 of the London Plan.

30. 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 for minerals and waste. 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 shall 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; and
- f) A description of any contingency plan to be used in the event of a breakdown 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 and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the

Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

31. Road Safety Audit – No development shall take place until details of the junctions and alterations to the Public Highway have been approved in writing by the Local Planning Authority for minerals and waste. Approval shall only be given once the necessary agreements, notices or licenses have been entered into and a four-stage full road safety audit procedure, as defined in HD 19/03 of the Design Manual for Roads and Bridges has been undertaken.

Reason: In the interests of highway safety and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

32. Freight Management Plan – No development shall take place until a Freight Management Plan covering construction logistics, servicing, and operations has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The plan should cover all phases and aspects of the development up to and including restoration. The plan should aim to mitigate and reduce the number of unique trips in and out of the site; seek the safest vehicles and driver behaviour; require operators of vehicles accessing the site to follow the work-related road risk standards; and for the operator to become members of the Fleet Operator Recognition Scheme or equivalent (achieving at least a Bronze accreditation).

Reason: In the interests of highway safety and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

33. Noise Limits and Monitoring – Noise levels from operations undertaken in association with the development hereby permitted shall not exceed 55dB(A)LAeq, 1h (free field) when measured at the noise sensitive properties defined in the submitted Noise Assessment. Noise levels shall be monitored at three monthly intervals from the date of the commencement of development at the aforementioned noise sensitive properties to demonstrate compliance with the above acceptable level. The results of the monitoring shall include LA90 and LAeq noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least two separate durations during the working day and the results shall be submitted to the Local Planning Authority for minerals and waste within one month of the monitoring being carried out. The frequency of monitoring shall not be reduced, unless otherwise approved in writing by the Local Planning Authority for minerals and waste. In the event of an identified exceedance in noise levels, a mitigation strategy shall be submitted to the Local Planning

Authority for minerals and waste in writing for approval outlining the measures which will be taken to reduce noise levels within the acceptable parameters.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

34. Air Quality Assessment – No development shall take place until a full air quality assessment for the development has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The assessment shall assess the existing air quality in the study area (baseline) and include a prediction of future air quality without the development in place (future baseline). The assessment shall then predict and assess the air quality with the development in place and identify mitigation measures, as appropriate. The assessment should include a review of impacts in context of national, regional and local policies, the basis of determining the significant of impacts, details of assessment methods, model verification and identification of sensitive locations assessed. Any mitigation and/or monitoring proposed and thereafter approved shall be implemented on-site and maintained for the life of the development hereby permitted.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

35. Vibration Assessment – No development shall take place until a vibration assessment and a management and monitoring plan to control vibration emanating from the site has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. The assessment shall identify potential sources of vibration from the development and include a review of identified impacts in context of national, regional and local policies. Any mitigation and/or monitoring proposed and thereafter approved shall be implemented on-site and maintained for the life of the development hereby permitted.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

36. External Lighting – No development shall take place until a scheme for the lighting of external areas of the development, including the access roads and working areas, has been submitted to and approved in writing by the Local Planning Authority for minerals and waste. 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 together with proposed hours of operation. The installation of any external lighting shall be undertaken in accordance with the approved scheme.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP12, CP13, CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

37. Permitted Development Restriction – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no building, structure, fixed plant or machinery, except as detailed in the development details hereby approved or otherwise approved pursuant to conditions, shall be erected, extended, installed or replaced on the site without the prior approval or express planning permission of the Local Planning Authority for minerals and waste.

Reason: To enable the planning authority to adequately control any future development on-site, assess potential accumulation and minimise potential impacts on the local area and landscape.

Informative

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for

any highway works (including temporary works) required during the construction of the development.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

3. The proposed inert landfilling activity will require an Environmental Permit under the Environmental Permitting Regulations 2010 (as amended) from the Environment Agency. The applicant is advised to contact the Environment Agency to discuss the permitting requirements and any issues that are likely to be raised during this process.
4. Due to the presence of National Grid apparatus in proximity to the application site, the applicant is advised to contact National Grid before any works are carried out to ensure that the aforementioned apparatus is not affected by the development.
5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:
 - a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
6. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Information to allow an appropriate assessment of the proposal and improvements required to make the proposal acceptable were negotiated and submitted, in accordance with paragraph 186-187 of the National Planning Policy Framework 2012, during the course of determination of this application.

REPORT DETAIL

1.0 Site Description

- 1.1 The application site is located approximately 1km south-east of the village of Rainham and is a rough square plot extending to some 26 hectares. The site is currently farmed for irrigated crops on a rotational pattern, as part of a wider holding based around Berwick Manor Farm (circa 1 mile to the north). The site is relatively flat, although does slope north to south, with limited internal hedgerow field boundaries. The site perimeter is screened by an intermittent hedgerow boundary.
- 1.2 The site is bounded to the north by East Hall Lane, and further north by land which forms part of East Hall Farm and is permitted for sand and gravel extraction. To the east the site is bounded by the A1306 (New Road) and to

the west the site is bounded by Church Lane. To the south of the site is Wennington Road. On the south side of Wennington Road and on the junction with the A1306 (New Road) are a few residential properties. These together with those on Church Lane are the closest residential properties to the development site. St Mary and St Peter's Church, on the south side of Church Lane, is grade II* listed.

- 1.3 The site forms part of the Metropolitan Green Belt and also forms part of the Thames Chase Community Forest. The site is partially located within flood zone 2 and partially within flood zone 3. The site is located within an area of known mineral interest and accordingly forms part of the Council's minerals safeguarding area.
- 1.4 In terms of locality, and nearby ecological designations, the Inner Thames Marshes SSSI and Rainham Marshes Nature Reserve is located approximately 1km south-west of the site.

2.0 Description of Proposal

- 2.1 This is an application for progressive sand and gravel extraction together with the subsequent importation of inert materials to restore the land back to existing levels and agricultural use.
- 2.2 The size of the mineral reserve is estimated at circa 1.35 million tonnes and it is proposed that an on-site processing plant would be installed to yield in the order of 200,000 tonnes per annum. The site would therefore have a life of between six and seven years with an additional two years proposed for restoration.
- 2.3 The void created from the extraction is proposed to be infilled, back to existing levels, and restored to agricultural use. The infill material would be inert although initial treatment of this material is proposed to remove any aggregate which could otherwise be used. The void created from the mineral extraction would require the importation of some 950,000m³ of inert material. The applicant works on a conversion rate of circa 1.8 tonnes of infill material per m³ of void which means that approximately 1.7 million tonnes of material would be required for restoration. In respect of this the applicant has however estimated of the material proposed to be imported (as infill) up to a third may be suitable for recycling/treatment. The applicant has in view of this, and ensuring that this material is utilised/re-used, suggested that up to 2.5 million tonnes of material may therefore be required to be imported to facilitate restoration. This figure works on the basis of up to 100,000 tonnes of the material imported per annum (800,000 tonnes of the 2.5 million infill material overall) being exported as secondary aggregate to the market.
- 2.4 It is proposed that both the extracted and imported (restoration) material would be processed on-site. In this regard, a processing plant is proposed to be

installed below existing ground levels, in the centre of the site. The processing plant site would be approximately three hectares and would be partially excavated to a depth of 2.5m to create a level operations area within the exposed mineral surface for the processing to occur. The internal road from the access onto the A1306 would be level at junction, before turning through 90 degrees and sloping down at a gradient of 1:20 to the processing area. Within the processing area would be a weighbridge, two modular site offices, a workshop and the associated plant and machinery. The treatment process to separate the sand and gravel into different sizes would be a wet process using recycled water with the processed material being stored in open stockpiles. In addition to the washing and screening unit, a crusher is proposed to be utilised on-site to reduce the size of any large gravel extracts from the site. The infill material is proposed to be processed dry, primarily by screener but a crusher would be utilised should a significant amount of large material exist.

2.5 Following the construction of the plant and operations area, it is proposed that the site would be worked in 10 phases, in an anti-clockwise direction. The site is proposed to be bound by a 2m high environmental bund around the northern and eastern boundaries and a 3m high environmental bund around the southern and western boundaries.

2.6 Access to the site would be off the A1306, with a purpose built access proposed at the existing agricultural field access point. In terms of vehicle movements, on the basis of 250 working days a year, it has been estimated that the development would result in 270 vehicle movements per day (135 in and 135 out). This is broken down, by the applicant, as per the below:

- Mineral extraction: $200,000\text{tpa} / 250 \text{ working days} / 20\text{t/lorry} \times 2 = 80$ movements per day (40 in and 40 out)
- Restoration/Infill: $177,000\text{m}^3 \text{ per annum (8 year period)} / 250 \text{ working days} / 9.5\text{m}^3/\text{lorry} \times 2 = 150$ movements per day (75 in and 75 out)
- Treatment: $100,000\text{tpa} / 250 \text{ working days} / 20\text{t/lorry} \times 2 = 40$ movements per day (20 in and 20 out)

2.7 The site is proposed be operational for nine years during the following hours:

07:00-18:00 Monday to Friday; and
07:00-13:00 Saturday

With no working on Sundays or Public holidays.

3.0 Consultations/Representations

3.1 The applicant prior to submission of the application undertook an initial public consultation exercise. This involved a leaflet drop and a manned drop-in exhibition.

3.2 On receipt of the formal planning application, the Council directly notified 87 properties. The application was also advertised by way of site notice and press advert. Following the receipt of additional information, during the course of determination, further public consultation was undertaken. 67 individual letters of public representation have been received in response to the consultation together with 93 letters requesting an independent highway assessment and a petition received from a local residents group (Residents Against Gravel Extraction – RAGE) signed by 2,098 individuals and 105 businesses. The representation received from Wennington Village Association included a transport report which had been commissioned by residents and the Association to support their traffic concerns. This report which appraises the Transport Statement submitted with the application suggests a number of deficiencies including the lack of assessment of personal injury accidents; the distribution of traffic; errors in modelling and concerns over the design of the site access.

The main areas of concern and objection raised in the aforementioned are:

- Traffic, inadequate road infrastructure and site access;
- Mud and debris on the highway resulting in increased chance of accident;
- Dust;
- Potential health implications;
- Noise impacts;
- Loss of light;
- Visual impacts;
- That there are numerous waste and mineral sites in the locality and the accumulation of impact has not been appropriately assessed. The general consensus being why Rainham?;
- Loss of property value;
- Loss of high quality agricultural land;
- Increased risk of flood risk;
- Property subsidence;
- Concerns about potential impacts on the water table;
- The impacts of on-site processing, something which was not permitted at East Hall Farm;
- That the development would result in a complete character change to the area;
- Waste disposal and/or recycling is not an acceptable or appropriate use of Green Belt land;
- Conflicts between the findings of the assessments submitted in support of this application and the East Hall Farm application; and
- General concerns about the adequacy of the Environmental Statement overall.

3.3 Comments have also been received from the following consultees:

Environment Agency – No objection in principle to the development. Having reviewed the proposed monitoring plan we are generally satisfied that the monitoring will address our outstanding concerns. It is however requested that

the plan is amended so that the proposed chemical suite includes parameters if the applicant intends to accept inert waste WAC types during the backfill. Furthermore, as groundwater flow direction has not been confirmed we feel that the applicant should include contingency actions to add more down gradient boreholes. This will enable the applicant to capture any emissions to groundwater. With the aforementioned amendments to the plan it is requested that the implementation is secured by Grampian condition or via legal agreement.

Essex and Suffolk Water – No objection.

Greater London Authority – It is considered that the application complies with the London Plan. With regard to Green Belt – the proposal is a form of development that is not inappropriate as defined by the NPPF and the location and design of the facility would not have a detrimental effect on the openness of the Green Belt. The proposal complies with London Plan policy 7.16. In respect of waste and minerals – the principle of mineral extraction in Havering is acknowledged in the London Plan and the proposal makes appropriate provision for importing inert waste material to infill, aftercare and restoration. Restoration and aftercare procedures should be secured by condition. The proposal complies with London Plan policies 5.18 and 5.20. Finally with regard to transport – a freight management plan should be secured by condition.

Havering Friends of the Earth – Object on the following grounds: erosion of good crop-producing agricultural land and damage to a prime area of Green Belt land; damage to ecosystems; food security; pollution and traffic congestion; noise nuisance; dust pollution and health risks; and destruction of wildlife habitat.

Heritage England – We have reviewed a series of archaeological assessment and evaluation work including air photographic plots, attempts at geophysical survey and at least two stages of archaeological trial evaluation. The results show that there is an extant prehistoric enclosure and a whole series of artefact rich archaeological features spread across the northern part of the site. Because of the nature of the trial trenching we only have a partial view of the nature of these archaeological features. In consideration of this and in order to ensure that the most significant remains can be preserved in situ a restrictive condition preventing any development occurring until a Written Scheme of Investigation for an archaeological mitigation and recording strategy has been submitted to and approved in writing by the mineral planning authority, in consultation with Heritage England.

Highway Authority – No objection to the scheme in terms of trip generation and impact on the road network but request a number of conditions to ensure that the proposed access is safely constructed, that mud and debris is not deposited on the highway and that agreed lorry routing is put in place. The transport assessment suggests that currently HGVs make up 10% of traffic on the A1306 (New Road) and the development will cause this to rise to 12.5% which is a significant increase (25% increase in HGV traffic). While this does not cause capacity concerns, we have concerns on the impact on the surface and

structural condition of the highway created by additional HGV traffic. As such a financial contribution towards the maintenance and repair of the highway is also sought.

London Borough of Havering Environmental Protection:

Air Quality – No objection subject to a condition requiring the submission of a full air quality assessment including an assessment of the existing baseline against a prediction of future air quality together with any mitigation measures proposed to reduce any identified impact.

Land Contamination – No objection subject to a condition requiring the submission of a Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminants, their types and extent, incorporating a Site Conceptual Model. Pending the outcome of the Phase I, a Phase II (Site Investigation) and Phase III (Remediation Strategy) may be required.

Noise & Vibration – No objection subject to a condition requiring the submission of a scheme which specifies the provisions to be made for the control of noise and vibration emanating from the site and a report demonstrating that the site operations do not exceed suggested maximum levels.

London Fire Brigade – No objection.

National Grid – Due to the presence of National Grid apparatus the contractor should contact National Grid before any works are carried out to ensure that the aforementioned apparatus are not affected.

Natural England – No objection subject to conditions.

Ecology: The application site is in close proximity to the Inner Thames Marshes SSSI. We have reviewed the applicant's baseline monitoring proposal and while it appears to be acceptable with regards to water quality, the monitoring of water levels and flows is inadequate. As such the imposition of a condition requiring the applicant to submit a monitoring proposal and to carry out baseline water quantity and quality monitoring for two years prior to extraction of mineral is suggested. An annual monitoring report shall furthermore be submitted and approved before extraction of mineral and de-watering can commence. Additionally the applicant shall carry out regular monitoring of the hydrological regime, and will mitigate for any adverse hydrological and water quality impacts, if they arise. The mitigation should include measures to suspend quarry operations if impacts arise, until they are resolved. A Hydrological Monitoring and Mitigation Plan shall be submitted and approved in this regard, after the baseline monitoring has been carried out and prior to the commencement of mineral extraction. With the aforementioned conditions attached to any planning permission granted it is not considered that the development would adversely impact on the special interest features of the Inner Thames Marshes SSSI.

Soils, Land Quality and Reclamation: The application site includes 22 hectares of 'best and most versatile' agricultural land; namely Grades 1, 2 and 3a. Natural England are broadly satisfied with the soils and reclamation proposals but note that to achieve best and most versatile land on this site following restoration a soil profile of 1.2m above the fill should be created, made up of at least 40cm of loamy sand topsoil over a sand subsoil.

Rainham Conservation & Improvement Society – We already have too many sites in Rainham & Wennington and have a history of failures and lack of control over existing gravel extraction/landfill sites, which are all over time or overfilled. Rainham residents are entitled to the same quality of life as those in more affluent parts of the Borough and the discrimination and dismissal we have received from Havering, over the centuries, must now stop.

Thames Water – No objection with regard to sewerage infrastructure capacity. It is recommended that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. In respect of surface drainage it is the responsibility of the developer to make proper provision for drainage to ground, water course or a suitable sewer.

Transport for London – No objection. It is not expected that the proposals would have an impact on the TLRN or public transport infrastructure/capacity. A freight management plan is nevertheless suggested as a potential condition should planning permission be granted.

Jon Cruddas MP – I am firmly against these plans as it is the overwhelming sense from residents that if these plans are given the go ahead that Wennington will change out of all recognition.

4.0 Policy Context

- 4.1 The National Planning Policy Framework (NPPF) was published on 27 March 2013 and set out the Government's planning policies for England and how these are expected to be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state there are three dimensions to sustainable development: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 11, states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 For decision-taking the Framework states that this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

4.3 In respect of the above, paragraph 215 of the NPPF, which is considered applicable to the London Borough Of Havering LDF, states due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The opinion of the London Borough of Havering is that the LDF is broadly compliant with the NPPF and therefore full weight can be given to policies in the determination of applications.

4.4 Specifically with regard to mineral development, the NPPF at paragraph 142 states that minerals are essential to support sustainable economic growth and our quality of life. At paragraph 144 it is detailed that when determining planning applications, local planning authorities should:

- give great weight to the benefits of the mineral extraction, including to the economy;
- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;
- ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- not grant planning permission for peat extraction from new or extended sites;
- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;
- not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;
- consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and
- recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

- 4.5 With regard to waste policy and guidance, the NPPF does not contain specific policies, since national waste planning policy will be published as part of the National Waste Management Plan for England (NWMP). The NWMP was adopted in December 2013 and sets out where we are now in terms of waste generation and how we manage such waste. It sets out where we are and the policies we currently have in place to support the economy, protect our environment and prevent and manage waste streams. In October 2014 the National Planning Policy for Waste was published, replacing Planning Policy Statement 10: Planning for Sustainable Waste Management.
- 4.6 The following policies of the LDF Core Strategy and Development Control Policies Development Plan Document are considered relevant to this development: CP10 (Sustainable Transport), CP12 (Use of Aggregates), CP13 (Minerals Extraction), CP14 (Green Belt), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage), DC22 (Countryside Recreation), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC39 (Freight), DC41 (Re-use and Recycling of Aggregates), DC42 (Mineral Extraction), DC43 (Ready Mixed and Processing Plant), DC45 (Appropriate Development In The Green Belt), DC47 (Agriculture), DC48 (Flood Risk), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated Land), DC55 (Noise), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC60 (Trees and Woodlands), DC61 (Urban Design), DC63 (Delivering Safer Places), DC67 (Buildings of Heritage Interest), DC70 (Archaeology and Ancient Monuments) and DC72 (Planning Obligations).
- 4.7 In addition to the above, the following policies of the Joint Waste Development Plan for the East London Waste Authority Boroughs are considered relevant: W1 (Sustainable Waste Management), W4 (Disposal of Inert Waste by Landfill) and W5 (General Consideration with regard to Waste Proposals).
- 4.8 The following policies of the London Plan are considered relevant to this development: 1.1 (Delivering The Strategic Vision And Objectives For London), 2.1 (London In Its Global, European and United Kingdom Context), 2.2 (London And The Wider Metropolitan Area), 2.3 (Growth Areas And Co-Ordination Corridors), 2.7 (Outer London: Economy), 2.8 (Outer London: Transport), 3.1 (Ensuring Equal Life Chances For All), 3.2 (Improving Health and Addressing Health Inequalities), 4.1 (Developing London's Economy), 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.14 (Water Quality and Wastewater Infrastructure), 5.15 (Water Use and Supplies), 5.16 (Waste Net Self-Sufficiency), 5.18 (Construction, Excavation and Demolition Waste), 5.20 (Aggregates), 5.21 (Contaminated Land), 6.1 (Strategic Transport Approach), 6.3 (Assessing Effects of Development on Transport Capacity), 6.9 (Cycling), 6.10 (Walking), 6.11 (Smoothing Traffic Flow And Tackling Congestion), 6.12 (Road Network Capacity), 6.13 (Parking), 6.14 (Freight), 7.2 (An Inclusive Environment), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.8 (Heritage Assets and Archaeology), 7.14 (Improving Air Quality), 7.15 (Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes), 7.16 (Green Belt), 7.19 (Biodiversity And Access To Nature), 7.20 (Geological Conservation), 7.21 (Trees And

Woodlands), 7.22 (Land for Food), 8.2 (Planning Obligations) and 8.3 (Community Infrastructure Levy).

5.0 Appraisal

Principle of Development

- 5.1 The London Borough of Havering, as per policy 5.20 of the London Plan is required to maintain a sand and gravel landbank of at least 1.75 million tonnes throughout the plan period (until to 2031). The Council last produced a Local Aggregate Assessment (LAA) in October 2014. The conclusion of this was that the Council's landbank was approximately 2.5 years on the basis of a permitted reserve of 700,000 tonnes. Since October 2014, planning permission has however been granted for mineral extraction at East Hall Farm. This site has a reserve of 1.1 million tonnes and adding this to the existing permitted reserves within Havering it is considered that the landbank is currently around 1.6 million tonnes or 6.4 years (factoring an approximate additional 14 months of working from the 700,000 tonne figure suggested within the LAA).
- 5.2 As detailed in the 'Policy Context' section of this report, the NPPF at paragraph 142 states that minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation. The London Plan at paragraph 5.90 acknowledges that there are relatively small resources of workable land-won sand and gravel in London however the Mayor supports the realistic landbank figure and how this is apportioned between the boroughs with potential reserves.
- 5.3 The London Borough of Havering, even with the permitted reserve at East Hall, does not have a sufficient landbank to comply with the apportionment figure detailed in the London Plan. Whilst the landbank position has improved with the granting of planning permission for East Hall Farm, it is considered that planning policy dictates that the Council (as the mineral planning authority), in the circumstances, generally supports proposals for mineral bearing development subject to no significant adverse environmental impacts.
- 5.4 The Council does not have an adopted Minerals Plan and until such a time, when preferred sites for mineral extraction to achieve a seven year sand and gravel landbank during the plan period are identified, applications for mineral development have to be assessed on their individual merits, as per policy CP13 of the LDF. In terms of the principle of development, it is therefore considered that in providing additional mineral reserve broad policy support exists for the development coming forward as the sand and gravel landbank in Havering is currently below seven years.

- 5.5 With regard to the treatment/recycling of infill material prior to use within the restoration of the project, it is acknowledged that this element means that up to an additional 800,000 tonnes of material may need to be imported to facilitate restoration. This is the equivalent of up to 40 vehicle movements (20 in and 20 out) per day. It is worth noting that this assumes that the secondary aggregate produced would be collected by vehicles arriving empty so is considered to represent a worst case scenario. Policy 5.20 of the London Plan nevertheless encourages the re-use and recycling of construction, demolition and excavation waste and to this effect aims to achieve 95% recycling/re-use of construction, demolition and excavation waste by 2020 and 80% recycling of that waste as aggregates by 2020. In seeking to remove the secondary aggregate from the material imported it is acknowledged that the quantity of material required to be imported is greater than it would be without this. That being said, it is also acknowledged that the London Plan seeks to achieve significant levels of secondary aggregates and that it is not very sustainable to use such material purely for restoration. A more detailed assessment of the sustainability of working the reserve and the proposed restoration, including the treatment of the infill material prior to use, can be found below in context of the site specific constraints.
- 5.6 In conclusion, it is considered that as this site is located within the Council's mineral safeguarding area, and as such a known sand and gravel reserve within the Borough, and that the current landbank is less than the apportionment figure detailed within the London Plan that, in principle, the development complies with policy 5.20 of the London Plan and policy CP13 of the LDF.

Green Belt

- 5.7 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and their permanence. At paragraph 80 of the NPPF it is detailed that the Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.8 Paragraph 87 of the NPPF states that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on detailing that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 5.9 Paragraph 80 of the NPPF identifies certain forms of development which are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do no conflict with the purposes of including land in Green Belt. These are:
- mineral extraction;
 - engineering operations;
 - local transport infrastructure that can demonstrate a requirement for a Green Belt location;
 - the re-use of buildings provided that the buildings are of permanent and substantial construction; and
 - development brought forward under a Community Right to Build Order.
- 5.10 In context of the above, it is considered that mineral extraction per se is not inappropriate development in the Green Belt. That being said the development associated with this development in the form of the temporary operations and processing plant would be. Furthermore, although aggregate recycling is promoted within the London Plan such activities (in essence a waste treatment/recovery operation) are also not defined as not inappropriate development in paragraph 80 of the NPPF. Whilst the restoration of an extracted void to previous levels it is accepted is ancillary to the extraction and potentially falls within the definition of an engineering operation, the additional treatment/recovery process would go beyond this definition. An assessment of the impacts which would result from this activity is therefore required to determine if this activity is supported by very special circumstances or benefits which outweigh the potential harm by reason of inappropriateness.
- 5.11 The applicant has suggested that this development could occur without the treatment/recycling of the infill material. However, this would reduce the quality of the restoration and be contrary to the principle of recycling secondary aggregate. In the event that material without an aspect of aggregate was sourced it is likely that the restoration period would be significantly longer as such material is not as readily available. The applicant considers that the benefits to the treatment therefore amount to very special circumstances in context of the site specific conditions.
- 5.12 Policy DC45 of the LDF states that the Council will promote uses in the Green Belt that have a positive role in fulfilling Green Belt objectives. Mineral extraction is detailed as a potentially appropriate development in the Green Belt subject to compliance with the other relevant policies in the LDF. Of particular note in this regard is policy DC42. Accepting that mineral extraction is not inappropriate development this suggests that ancillary buildings, structures, plant and/or equipment should be essential to the operation and preserve the open nature of the Green Belt. Materials should be sympathetic to the landscape and impact minimised by appropriate siting and screening where necessary.

5.13 As detailed previously in this report, the operations and processing plant area are proposed within an active phase of the workings (i.e. below ground) to limit visual impact. The buildings, structures, plant and equipment proposed would all be temporary in nature and as such not overly conducive to high quality development. That being said the buildings and structures proposed are considered typical for such sites and the plant and equipment of a size necessary to facilitate safe and efficient operation. It is not therefore considered that the processing plant proposed in association with the sand and gravel extraction is representative of inappropriate development in the Green Belt.

Landscape and Visual Impact

5.14 Mineral extraction by its very nature is visually intrusive. As existing this is an agricultural field yielding crops. In terms of landscape value, the site is bounded by roads. Forming the outskirts of Wennington it is considered that the fields surrounding this application site form a buffer for Wennington to the A13 and to Aveley to the east.

5.15 A Landscape and Visual Impact Assessment has been submitted in support of the application. This suggests that although the site itself is good quality arable land, it sits within a generally despoiled landscape, partly due to the presence of a number of infrastructure corridors but also owing to a number of poorly restored landfill sites in the area.

5.16 During the life of the site it is acknowledged within the aforementioned Assessment that there would be a short term landscape impact. However, it is suggested that the impact on the character of the area would be of only low to medium significance. The relatively flat nature of the site together with the presence of existing boundary hedgerows limits the public views into the site. And it is considered that the proposed visual and noise attenuation bunds would furthermore limit potential views of the site.

5.17 The proposed restoration of the site is discussed later in this report. However, for completeness, it is suggested that there would be no long term impact on the landscape value as the site would be restored to existing levels and agricultural use.

5.18 Policy DC61 of the LDF states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Of note in respect of this development, it is detailed that proposals should harness the topographical and ecological character of the site and complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.

5.19 In terms of visual impact it is considered that the views of the site from Church Lane, Wennington Road and the A1306 (New Road) and the properties along these would change as a result of this development coming forward. The proposed screening bunds and increased hedgerow planting together with the

proposed low level processing plant would to some degree limit this impact. However, visually the site during the nine year operation period would change. The proposal would be intrusive to the existing landscape and characterised by operational machinery, plant and HGVs. Stockpiles of material are also likely to dominate the landscape and represent the active nature of the site.

- 5.20 It is nevertheless noted that the aforementioned concerns generally go hand in hand with any quarry and therefore consideration has to be given to if the impacts associated are significant enough to warrant refusal, in context that the site is identified within a mineral safeguarding area and the Council currently does not currently have a seven year sand and gravel landbank. Policy DC43 of the LDF states that within Green Belt, planning permission will only be granted for ready mix concrete plant and other secondary aggregate processing plants at current mineral working sites. Although this is not an existing mineral working, the processing plant proposed is intrinsically linked to the operations and would be removed once restoration is complete. On-site processing is generally favoured, subject to the site being able to effectively accommodate such processing without undue impact, because it limits the number of vehicle movements associated. For example, if processing is proposed off-site a vehicle is required to take the mineral from the source to the site where it is processed. Once processed another vehicle is required to collect the material and distribute it for on-ward use. On-site processing, in theory, therefore cuts out three vehicle movements.
- 5.21 The processing plant would be located within an active phase of the quarry which when viewed with the bund heights would, at ground level, be largely hidden. The landscape impact of the mineral extraction, over the nine year period of operation, is unavoidable. However, in context that the mineral planning authority need to give great weight to the benefits of mineral extraction and currently do not have a sufficient reserve of sand and gravel as per our landbank apportionment in the London Plan it is not considered that the landscape impact with suitable mitigation controlled by condition would be sufficient to warrant refusal.

Ecology

- 5.22 Policy CP16 of the LDF states that Council will seek to protect and enhance the Borough's rich biodiversity and geodiversity, in particular priority habitats, species and sites. This is a position supported by policy DC42 and DC58.
- 5.23 The submitted Phase 1 Ecological Assessment suggests that the site only supports a low diversity of floral species in the form of improved grassland set-aside buffers and species-poor hedgerows. A wet ditch lines part of the southern boundary but vegetative habitats, on the site, are of very low value. It is suggested that the restoration of the site has the potential to improve the ecological value of the site.
- 5.24 The application site is not designated as an area of particular nature conservation or importance and as such the conclusions of the submitted Assessment are not questioned. However, it is noted that the site is located

within close proximity to the Inner Thames Marshes SSSI and Rainham Marshes Nature Reserve.

- 5.25 The Inner Thames Marshes form the largest remaining expanse of wetland bordering the upper reaches of the Thames Estuary. The site is of particular note for its diverse ornithological interest and especially for the variety of breeding birds and the numbers of wintering wildfowl, waders, finches and birds of prey, with wintering teal populations reaching level of international importance. The Marshes also support a wide range of wetland plant and insects with a restricted distribution in the London area, including some that are nationally rare or scarce. Whilst the SSSI is located some distance from the site, it is considered that the proposal does have the potential to cause harm to it. Ground waters that drain to the SSSI pass through the area under consideration and it is therefore considered that the proposed removal of water (de-watering) from the site during mineral extraction and its diversion to an adjoining watercourse; the proposed infilling of the site with material that may alter the site's qualities as a groundwater pathway and introduce contamination; and the use of a soakaway during the course of operations, could result in adverse impacts on the SSSI's status.
- 5.26 A specific assessment of the measures proposed to off-set any such impact can be found below. However, with regard to ecological impact and the integrity of the SSSI, Natural England has subject to the imposition of a number of conditions not raised an objection to the proposal. In context of this it is considered that the development would not result in ecological impacts sufficient to warrant refusal and be deemed contrary to policy DC58 of the LDF.

Geology, Hydrology and Flood Risk

- 5.27 Policy CP15 of the LDF, in-part, details that new development should reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; have a sustainable water supply and drainage infrastructure; and avoid an adverse impact on water quality. Expanding on this policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Policy DC51 goes on detailing that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems unless suitable mitigation measures can be secured through conditions attached to the planning permission or a legal agreement.
- 5.28 It has been suggested that topsoil/overburden at the site ranges in depth from 0.25m to 1.2m. The depth of the sand and gravel stream is between 5.5m and 7.8m, which factoring in the above means a sand and gravel seam thickness of circa 4m to 6.5m across the site.

- 5.29 Within the submitted Hydrogeological Impact Assessment it is suggested that the Thames region receives an average rainfall of 690mm per annum, with an average effective rainfall of 250mm per annum. For clarity average rainfall is the average amount of rain per annum whereas average effective rainfall is the percentage of rainfall which becomes available to plants and crops. A number of drainage ditches currently intercept surface water run-off and direct flow towards a larger/main ditch in the southern eastern corner of the site. Here run-off is directly towards a pond which is culverted beneath Wennington Road. This then continues southwards towards a network of drainage ditches and streams associated with the SSSI.
- 5.30 Given the sand and gravel geology of the site, the site is classified as a secondary aquifer and as working is proposed below the water table, de-watering would be required. The conclusion of the Assessment is however that the development, subject to suitable management, would not adversely impact on flood risk, nearby abstractions and/or surface and groundwater quality.
- 5.31 Following initial concerns about the development, and the potential risk of flooding, additional information was submitted to the Environment Agency's satisfaction. This information, submitted and consulted on in March 2014, sought to maintain the existing balancing ditches but increase the size of the proposed pond. The Agency, in respect of this and the development, advised that they were content that a flow device could be fitted to discharge at the pre-development rate of 297 l/s for a 1 in 100 year 6 hour storm event and a suitable freeboard (1m) to accommodate temporary water level rise above the outlet. And as such, the Agency consider after restoration that the site should have a greenfield run-off rate the same as the current greenfield run-off with no additional water being discharged into the Rainham Marshes.
- 5.32 The increased attenuation pond suitably accounts for the fact that the infill material may not be as permeable as the existing geology and it is considered is of sufficient size, with the drainage proposed, not to furthermore raise an objection on flood risk grounds.
- 5.33 Accordingly, with suitable conditions attached to any planning permission granted, it is not considered that flood risk represents a reason to refuse the application. It has been demonstrated that suitable mitigation measures could be implemented to ensure that the site is restored to that as existing in terms of run-off and drainage rates and as such it is considered that the development complies with policies CP15, DC48 and DC51 of the LDF

Heritage and Archaeology

- 5.34 A series of archaeological assessments have been submitted by the applicant in an attempt to overcome concerns about the significance of potential historical interest on the site. The Greater London Archaeological Advisory Service (a branch of Historic England) note that the application site lies within an area of high archaeological potential connected with the extensive crop-marks indicative of archaeological features visible on aerial photographs and known (through excavation) early and late prehistoric and Roman settlement and sites.

- 5.35 Historic England note that the results of the evaluation undertaken to date show that there exists within the application site a high density of archaeological features. Features of interest were found across the site but mainly with the northern and eastern parts of the site. Given the nature of the development, the development would involve the wholesale removal of archaeological interest.
- 5.36 Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining an application. Continuing it details that a balanced judgement will be required in respect of the scale of any harm or loss and the significance of the asset.
- 5.37 Ideally Historic England would like to know the extent and significance of any asset prior to determination of the application. However, accept that due to the costs associated with this that the applicant may be reluctant. Historic England have therefore suggested that in the event that planning permission be granted that a condition be imposed requiring further archaeological evaluation and a method statement for preserving in-situ areas of archaeological remains of high importance. Imposing this condition it is acknowledged, subject to remains of high importance being found, potentially areas within the red line application area may be excluded from extraction. The applicant is aware of this and is willing to accept such a condition. However, request has been made that once the additional work has been undertaken and results known that the Council and Historic England together consider the heritage value against the current landbank deficit before any areas to retained in-situ are defined.
- 5.38 With the aforementioned condition attached, it is not considered the development would give rise to the unwarranted destruction of features of archaeological importance. The development, with the condition requiring further assessment and a method statement, is therefore considered to be compliant with policy DC70 of the LDF.

Highway Impact and Lorry Routeing

- 5.39 Access to the site is proposed off the A1306, with a purpose built access proposed to be built at the existing agricultural field access point. In terms of vehicle movements, on the basis of 250 working days it has been estimated that the development would result in 270 vehicle movements per day (135 in and 135 out). This is broken down, by the applicant, as per the below:
- Mineral extraction: $200,000\text{tpa} / 250 \text{ working days} / 20\text{t/lorry} \times 2 = 80$ movements per day (40 in and 40 out)
 - Restoration/Infill: $177,000\text{m}^3 \text{ per annum} / 250 \text{ working days} / 9.5\text{m}^3/\text{lorry} \times 2 = 150$ movements per day (75 in and 75 out)
 - Treatment: $100,000\text{tpa} / 250 \text{ working days} / 20\text{t/lorry} \times 2 = 40$ movements per day (20 in and 20 out)

- 5.40 On the basis of a ten hour working day, the development would result in an average of 27 vehicle movements per hour – roughly one movement every 2 minutes. Accepting that this is an average, the applicant has sought to assess the potential impact on a higher/maximum level of vehicle movements (up to 38 movements per hour). On such an assessment the development would result in a 2.5% increase in vehicles on the road (12.5% increase when assessing just HGV usage).
- 5.41 Policy DC32 of the LDF details that new development which has an adverse impact on the functioning of the road hierarchy will not be allowed. A Transport Statement has been submitted with the application which concludes that the development would not have a detrimental impact on the highway network. With the development operational it has been predicted that there would be a 10-15% increase in maximum capacity level on the A1306/A13 but both roads would nevertheless still be well within their maximum capacity level.
- 5.42 The Highway Authority have assessed the information submitted with the application and undertaken an independent assessment in context of known site conditions and available data. In respect of this, the Highway Authority has raised no objection to the development in terms of trip generation and impact on the road network. Whilst no concerns are raised in respect of capacity, concerns on the impact on the surface and structural condition of the highway are highlighted. In context of the additional HGV traffic a financial contribution towards the maintenance and repair of New Road is sought (£72,726), should planning permission be granted. In addition to the above, the Highway Authority has also recommended details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway to be submitted and approved in written prior to commencement of the development. The Authority would also support an agreed performance specification based on mud and debris being contained within the site because of the speed and traffic flow on New Road.
- 5.43 Further to the above, it is suggested that a condition requiring a road safety audit and that site extraction shall not commence until details of the junctions and alterations to the public highway have been submitted and approved in writing by the mineral planning authority.
- 5.44 Transport for London (TfL), in context of the potential impact to the A13, has also been consulted on this application. TfL, similarly to the position expressed by the Highway Authority, do not expect the proposals to have an impact on the Transport for London Road Network. Due to the nature of the development, it is nevertheless recommended that a Freight Management Plan be secured by condition. The Plan should aim to mitigate and reduce the number of unique trips in and out of the site; seek the safest vehicles and driver behaviour; require operators of vehicles accessing the site to follow the work-related road risk standards; and for the operator to become members of the Fleet Operator Recognition Scheme or equivalent (achieving at least a Bronze accreditation).

- 5.45 It is noted that a number of the letters of representation received have raised concern about traffic and congestion in this area. The details of the application have however been assessed by the appropriate expert consultees and the conclusion is that the development should not, subject to suitable conditions, adversely impact on highway safety or efficiency. The report commissioned by RAGE is acknowledged but the opinions/conclusions have not been supported by the Highway Authority. It is therefore considered that a refusal based on highway impact could not be justified or supported by planning policies.
- 5.46 Overall it is considered that the vehicle movements associated with this development, when assessed collectively with other approved development in the locality and the existing levels of usage of local infrastructure, would not adversely impact on highway safety or efficiency. It is considered that potential highway impacts associated with the development could be controlled via planning condition and with a lorry routeing plan and financial contribution towards the maintenance of the A1306 secured by legal agreement that the development complies with policy DC32 of the LDF.

Amenity Impacts

- 5.47 Policy DC61 of the LDF, in addition to that detailed previously in this report, states that planning permission will not be granted where the development has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and with developments. This position is furthermore supported by policy DC42. The nearest residential properties to the site are those on the south side of Wennington Road, on the junction with the A1306 (New Road) and those located on Church Lane. The nearest residential property (3 New Road) which directly abuts the application site is located approximately 25m from the proposed site bunding and 40m from the actual extraction operations (measurements from the building). It is considered that in terms of amenity and this development that an assessment in three regards is needed: noise; air quality; and vibration.

Noise

- 5.48 The Technical Guidance to the NPPF expands on the minerals policies outlined in the NPPF. At paragraph 20 of the Technical Guidance it is acknowledged that residents living close to mineral workings may be exposed to a number of environmental effects. With regard to noise emissions the NPPF makes it clear that mineral planning authorities should ensure that unavoidable noise emissions are controlled, mitigated or removed at source. At paragraph 30 it is stated that subject to a maximum of 55dB(A)LAeq, 1h (free field), mineral planning authorities should aim to establish a noise limit at noise sensitive properties that does not exceed background level by more than 10dB(A). The Noise Assessment submitted with the application demonstrates that the site would operate at 55dB(A)LAeq, 1h which is acceptable in context of the above. It is however acknowledged within the Assessment that during the initial set-up stage of the development, particularly in the engineering of the bunds around the perimeter of the site, an exceedance of the 55dB level may exist but as this

would only be a temporary impact it is considered to be acceptable, subject to controls on operating hours.

- 5.49 The Council's Environmental Protection have accepted the conclusions of the submitted Noise Assessment and not raised an objection on noise grounds. A condition requiring noise monitoring and the submission of the results of such monitoring to confirm that the development is occurring in accordance with the predicted levels is nevertheless recommended.
- 5.50 With regard to the above, it is however noted that the applicant has applied for hours of working commencing at 07:00am. In context of the locality and the proximity to sensitive uses, although the submitted Noise Assessment suggests that there would not be a noise issue, it is considered that such early hours of operational could potentially be harmful to perceived amenity value. Indeed it is noted that the East Hall Farm quarry is only permitted to start operations at 08:00am. In view of this, it is considered appropriate to restrict the hours of operation beyond that proposed and not allow operations to commence before 08:00am. When operations commence in the southern half of the site, the area closest to the nearby residential development, it is considered that a more stringent restriction of no operations before 09:00am is appropriate.
- 5.51 With suitable conditions attached any planning permission granted to restrict the hours of operation and ensure that the operations do not exceed an accepted noise level, together with the securing of a lorry routing plan by legal agreement, it is considered that the development would not give rise to significant noise impacts and as such complies with policy DC55 and the noise aspect of policy DC42 of the LDF.
- 5.52 In respect of this it is also recommended that the applicant be required to form a liaison group, and arrange six monthly meetings throughout the course of the development so that the local community can be kept updated with progress and given an arena to voice concerns about the operation and any unforeseen issues which may arise during the course of the development.

Air Quality and Dust

- 5.53 Policy DC52 of the LDF details 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. A specific air quality assessment has not been provided with the application with the applicant considering that the any dust impact is not likely to be significant and could be suitably controlled by regularly dampening of internal roads, operational areas and stockpiles.
- 5.54 Staff within the Council's Environmental Protection department have requested that a full air quality assessment be secured by condition, in the event of planning permission being granted. This request is considered compliant with the Technical Guidance which acknowledges that dust emissions should be controlled, mitigated and/or removed at source to reduce the potential risk of air

quality impacts. It is not considered that the air quality assessment required will likely identify a particular problem and/or issue with the development coming forward. It is just that this will identify suitable mitigation and management of, in particular dust, which will allow the mineral planning authority to retain control should issues develop.

- 5.55 With a condition applied to any planning permission granted requiring the submission of a full air quality assessment it is considered that the development would comply with the stipulations of policy DC52 of the LDF.

Vibration

- 5.56 Similarly to the position above the Council's Environmental Protection department has noted that no assessment of likely vibration emanating from the site has been provided. Subsidence has been raised in a number of the public letters of representation and policy DC55, in addition to covering noise, states that planning permission should not be granted if a development would result in exposure to vibration above acceptable levels, affecting a noise sensitive development. Given the distance of actual extraction from nearby sensitive uses it is not considered that vibration from the activities would likely result in detrimental impacts. That being said, without formal assessment this cannot be confirmed. Staff within the Council's Environmental Protection department have therefore recommended that a scheme that makes provision for the control of vibration shall be submitted to and approved in writing by the mineral planning authority, prior to commencement of extraction.
- 5.57 With a condition applied to any planning permission granted requiring the submission of a vibration assessment it is considered that the development would comply with the relevant stipulations of policy DC55 of the LDF.
- 5.58 Overall it is not considered that the development would give rise to any significant amenity impacts. The application has been considered in context of the locality and other permitted development and subject to appropriate mitigation measures being secured by condition deemed compliant with policies DC52 and DC55 and the relevant aspects of policy DC42 of the LDF.

Restoration and Additional Material Treatment

- 5.59 Site restoration would be progressive but would continue for an additional two year period post final extraction. The void created from the mineral extraction would require the importation of some 950,000m³ of inert material. The applicant works on a conversion rate of circa 1.8 tonnes of infill material per m³ of void which means that approximately 1.7 million tonnes of material would be required for restoration. In respect of this the applicant has however estimated of the material proposed to be imported (as infill) up to a third may be suitable for recycling. The applicant has in view of this, and ensuring that this material is utilised/re-used, suggested that up to 2.5 million tonnes of material may therefore be required to be imported to facilitate restoration. This figure works on the basis of up to 100,000 tonnes of the material imported per annum

(800,000 tonnes of the 2.5 million infill material overall) being exported as secondary aggregate to the market.

- 5.60 This site includes approximately 22ha of best and most versatile agricultural land; namely Grades 1, 2 and 3a. In this regard it is noted that no indigenous top soil from the site would however be exported. The topsoil would be stored, during the extraction process, in bunds along the perimeter of the site. Once extraction is complete and the infill material imported, the indigenous top soil would then be re-spread on the site.
- 5.61 It has been suggested that the depth of soils that overlie the mineral, averages 1.3m, the topsoil being of a sandy loam texture approximately 0.3m thick. The subsoil is also sandy in nature, being a mix of sandy loam and sandy silt which gives rise to the high quality soil.
- 5.62 In respect of mineral development, the NPPF at paragraph 144 suggests the local planning authorities should seek to ensure restoration is undertaken at the earliest opportunity and to high environmental standards. The Technical Guidance to the NPPF details that applicant's as part of reclamation schemes should demonstrate that the site can be reclaimed to an acceptable standard and after use. It is suggested that appropriate conditions should be imposed by the local planning authority to ensure that the restoration and after use is achieved. It is nevertheless detailed within the NPPF and the Technical Guidance that bonds or other financial guarantees to underpin restoration and aftercare conditions should only be sought in exceptional circumstances.
- 5.63 Acknowledging that this is best and most versatile land, it is noted that concern has been raised about the loss of this resource and the potential implications on food production. Best and most versatile land is however often high quality because of the geology and ground formation – i.e. being underlain by sand and gravel. Whilst this is a consideration, the fact that a site is of such quality is nevertheless not considered a reason on its own to prevent a development coming forward. Subject to suitable restoration, the quality of the land can be maintained and as such, in the long term, there should not be a loss in resource.
- 5.64 Policy DC42 of the LDF in respect of restoration states that sites should be restored to the highest standard and to a beneficial and acceptable after use in line with Green Belt objectives. Where extraction involves grade 1, 2 or 3A land, the site should be restored to its former characteristics with workings being phased to ensure the maximum amount of land is retained in agricultural use. Policy W4 of the Joint Waste Development Plan in this regard states that disposal of inert waste by landfill or as part of reclamation should be essential and involve the minimum quantity of waste necessary.
- 5.65 The restoration scheme proposed as part of this application would see the site returned to its former levels and an agricultural use. The imported infill material, when at the correct height, would be ripped to a depth of 0.5m and objects with a face length greater than 150mm hand-picked. The indigenous sub-soil and topsoil, stored in the bunds around the site during extraction,

would then be spread. To increase biodiversity to the site, and allow for any reduction in site permeability, two shallow ponds/wetland areas would be created in the south west and south east of the site. A five year aftercare period, to ensure that the site is returned to an agricultural use of a similar productivity as existing is suggested and it is accepted that this could be secured by planning condition.

5.66 Natural England, in response to the above, are broadly satisfied with the soil management and reclamation proposals. However, Natural England has suggested that it is important that a soil profile of 1.2m is restored above the fill and this is made up of at least 0.4m of loamy sand topsoil. It is suggested that this could be ensured by suitable condition, in the event that planning permission is granted. It is also advised that DEFRA's Good Practice Guide for Handling Soils should be followed for both topsoil and sub-soil management and movement. With the aforementioned conditions attached to any planning permission granted it is considered in principle the site could be restored in compliance with that required by policy DC42 of the LDF.

5.67 In respect of the above, it is considered that the restoration profile has been designed to utilise the minimum amount of inert material, in accordance with policy W4 and not result in a restoration profile incongruous to the existing landscape. The element of recycling and proposed type of infill material to achieve this, in context of the Green Belt designation and such operations being representative of inappropriate development is nevertheless explored below.

Green Belt and Very Special Circumstances

5.68 In consideration that this is best and most versatile land, and guidance previously referred in the NPPF, the London Plan and LDF it is considered that restoration to existing levels and agriculture is the most appropriate form of restoration.

5.69 In terms of the proposed material to be imported to fill the void, it is noted that the applicant is proposing to 'treat' or process an element of this prior to use with the restoration. This is proposed as the applicant has noted that an aspect of market available restoration material often contains a percentage of aggregate and this is a commodity which can be removed prior to use. Whilst this does add an additional process to the development it is accepted that this is proposed purely to ensure that the restoration material proposed to be used is appropriate and of the highest quality. The restoration material available to the market could be utilised within the project as existing (i.e. without the processing) but it is likely that this would result in a lower quality restoration. Furthermore, working on to the other extreme, if the applicant purely sought to import pre-treated material it is likely that the development would take longer than nine years to complete because such material is not as readily available. An additional benefit to the processing and production of secondary aggregate, for the Council as the mineral planning authority, is that this is also an additional way of meeting aggregate demand which in turn may reduce the need for further quarries and prolong the existing landbank.

- 5.70 In respect of the above, it is considered that the benefits this additional process would result in outweigh the potential harm to openness of the Green Belt. It is considered that there is an intrinsic link between the three elements of the proposal (the extraction, recycling and infilling) and whilst the development could occur without the recycling it is not considered that the permitting of such operations renders the development inappropriate or unacceptable overall. This is considered to be a mineral led development. It is considered that the processing or recycling has been proposed as a natural step in ensuring maximum rates of recovery and effective restoration.
- 5.71 The Greater London Authority in their consultation response to the application acknowledge this conflict and advise that this (*Green Belt*) impact needs to be balanced against the temporary nature of the operations and plant and that this site does fall within a minerals safeguarding area.
- 5.72 In this instance, the recycling proposed would be tied to the life of the site and it is not considered that with suitable conditions imposed, on any planning permission granted, restricting the material permitted to be imported that suitable scope would exist for the use to operate as a standalone process. Furthermore it is not considered that the granting of such a temporary permission would not set a precedent for development of this nature being deemed acceptable in the future in isolation.
- 5.73 It is accepted that such (recycling) operations would result in some harm to the openness of the Green Belt. However in context that all recycling operations would be contained within the operation and processing area required for extraction and that the additional vehicle movements associated have been included within the submitted assessments it is considered that the benefits to this (additional processing) outweigh the harms. It is not considered that the Green Belt or the purpose/reasons for the Green Belt would be adversely impacted in the long term by this development.

Cumulative Impact

- 5.74 Since this application was submitted extraction of 1.1 million tonnes sand and gravel at the adjacent East Hall Farm has been granted planning permission (planning application reference: P0271.14). An update to the original Environmental Statement was submitted by the applicant in August 2014 seeking to assess if there would be any potential accumulation of impact as a result of the two developments operating simultaneously. The update submitted sought to assess the potential cumulative impact on hydrology, noise and traffic together with a number of other factors and material considerations. The conclusion of the report and updates submitted is that the developments could occur simultaneous without significant environmental impact. Within the updates submitted it is acknowledged that there are a number of mineral sites in close proximity and all to some degree involve use of the A1306 (New Road). It is however suggested that a number of existing sites, the adjacent Ingrebourne Links golf course for example, are nearing completion and therefore by the time this development would be coming forward such

development would likely be complete. An additional consultation has been undertaken by the Council with statutory consultees on this issue and no concerns about potential accumulation have been raised. It is therefore considered that the development could occur in an acceptable manner at the same time as the development at East Hall Farm, subject to the imposition of suitable conditions.

6.0 Conclusion

- 6.1 The London Borough of Havering is required, by the London Plan, to maintain a sand and gravel landbank of 1.75 million tonnes (or 250,000 tonnes per annum). Currently the Council does not have an adopted Minerals Plan, identifying preferred sites, with the Proposals Map to the LDF simply identifying mineral safeguarding areas. Applications coming forward within safeguarded areas are therefore assessed in context of the current landbank position and on an individual basis. The Council does not currently have a landbank reserve of 1.75 million tonnes and it is therefore considered that principle policy support, as per the NPPF, needs to be given to such applications given the importance of maintaining a sufficient supply of mineral to provide infrastructure, buildings, energy and goods that the country needs.
- 6.2 Mineral extraction is appropriate development within the Green Belt and whilst the development would involve a number of temporary buildings and structures to facilitate operations it is not considered that for a temporary period (the life of the operations) that these would significantly impact on the openness of the Green Belt. This is a position supported by the Greater London Authority in their consultation response.
- 6.3 Waste recovery or recycling is proposed to remove secondary aggregate from material proposed to be imported for the purposes of infilling the extracted void. Whilst this if viewed in isolation would be representative of inappropriate development in the Green Belt, in context that this would be tied to the life of the operations and only material which is proposed to be utilised in the restoration would be processed/treated, it is considered that there is an intrinsic link between the two processes and that the benefits to the treatment stage, in realising secondary aggregate and improving the quality of the restoration material, outweigh the harms and impacts that may result.
- 6.4 It is considered that the site could be worked in a sustainable manner without significant impact to the locality. The application has been assessed in context of other approved and planned development in the area and, on balance, deemed compliant with National planning guidance and the relevant policies of the development plan subject to the completion of a legal agreement and adherence to the recommended planning conditions.
- 6.5 This conclusion is the opinion of staff based on a balancing exercise on planning considerations. It is accepted that Members may reach a difference conclusion.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: Legal resources would be required for the completion of the legal agreement. The legal agreement is nevertheless required to mitigate/offset potential harms and impacts associated with the development. Staff are satisfied that the contribution required is compliant with the statutory tests set out in the Community Infrastructure Levy Regulations and NPPF in respect to planning obligations.

Human Resources implications and risks: None

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

BACKGROUND PAPERS

Application form, plans and associated documents including Environmental Statement (application reference: P1407.13), validated by the mineral planning authority 15/11/2013.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

28 January 2016

Subject Heading:

**P1255.15: 1-15 Corbets Tey Road,
Upminster**

Creation of a third floor roof extension incorporating 4 no. flats, together with the associated extension/alteration of the existing communal stairwells and renovation of the building exterior. (Application received 18 September 2015)

Ward:

Upminster

Report Author and contact details:

**Simon Thelwell
Projects and Regulation Manager
Simon.thelwell@havering.gov.uk 01708
432685**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

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

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

SUMMARY

The proposal is for the creation of a third floor roof extension incorporating 4no. two bedroom flats, together with the associated extension/alteration of the existing communal stairwells.

It raises considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents, and parking and access.

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 292 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £5840.00 Mayoral CIL payment (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £24,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

4. 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.

5. Hours of Construction

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

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

6. Refuse and Recycling

Prior to occupation of any of the proposed flats the refuse and recycling facilities as detailed in drawing no. BM/14/05 shall be provided to the full satisfaction of the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: To 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.

7. Cycle Storage

Prior to occupation of any of the proposed flats the cycle storage facilities as detailed in drawing no. BM/14/05 shall be provided to the full satisfaction of the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

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

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

8. Commencement of Development at Adjacent Site

Either:

- 1) The commencement of this development shall be within one month of the commencement of planning application P1257.15 at 17-31 Corbets Tey Road, Upminster.

Or:

- 2) Within one month of the commencement of the development granted by this permission, the development granted under planning application P1257.15 at 17-31 Corbets Tey Road, Upminster shall commence.

Written notice of the commencement of development shall be provided within 7 days of works starting.

Reason: In the interests of visual amenity and to ensure that the appearance of the proposed development will harmonise with the adjacent building and the wider streetscene. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

9. Completion of Development at Adjacent Site

Either:

- 1) The completion of this development shall be within one month of the completion of planning application P1257.15 at 17-31 Corbets Tey Road, Upminster.

Or:

- 2) Within one month of the completion of the development granted by this permission, the development granted under planning application P1257.15 at 17-31 Corbets Tey Road, Upminster shall be completed.

Reason: In the interests of visual amenity and to ensure that the appearance of the proposed development will harmonise with the adjacent building and the wider streetscene. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

10. Cleaning and Restoration of Existing Building Elevations

Prior to the occupation of any of the residential units hereby permitted the front, side and rear elevations of the existing building shall be cleaned and restored in accordance with details to be submitted to the Local Planning Authority. The cleaning and restoration shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the proposed development will harmonise with the existing building. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. 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. 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 £5840.00 (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. 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. Call-in

- 1.1 The application and the accompanying application P1257.15 have been called-in to committee by Councillor Linda Van den Hende on the grounds that they represent a significant overdevelopment in the town centre. The appearance of the building will be significantly changed, thus upsetting the street scene with the additional bulk and mass. In addition there is no amenity provided in the design and no parking provision for the 8 new dwellings. There would be a loss of privacy to surrounding properties. There is a school which could be overlooked with potential safeguarding concerns. The blocks are currently occupied by a mixture of owner occupier and rented accommodation. The plans propose, in addition to the additional floor, extensive refurbishment which would make living in the current dwellings very difficult, given there is limited access into and out of the flats.

2. Site Description

- 2.1 The application relates to the property at 1-15 Corbets Tey Road, Upminster. This is a three storey Art-Deco style building in mixed use with 8no. commercial units at ground floor level and 12no. residential flats in the two upper floors.
- 2.2 The building fronts onto Corbets Tey Road with a narrow service road to the sides and rear. The property is located some 50 metres south from the junction of Corbets Tey Road and St. Mary's Lane and is situated opposite to the grounds of the Grade I listed St. Laurence's Church.
- 2.3 The land is designated in the LDF as being within the Upminster Major District Centre and as such is surrounded by a mixture of uses including commercial and residential.

3. Description of Proposal

- 3.1 The application is seeking planning permission for the creation of a third floor roof extension incorporating 4no. two bedroom flats, together with the associated extension/alteration of the existing communal stairwells.
- 3.2 The additional floor would involve raising the overall height of the building by approximately 2.7 metres. The extension would project along the full length of the building. To the rear the extension would be constructed off the main elevation and at the front it would incorporate a set back on the frontage with Corbets Tey Road allowing for the inclusion of front roof terraces.
- 3.3 The existing side stairwell sections would be raised by 2.6 metres and the central stairwell section by 1.9 metres to enable internal access to the new flats.
- 3.4 The extension would include a flat roof design and would incorporate original features such as the existing chimneys, with the side and rear elevations and front terrace wall built in matching brickwork.
- 3.5 There is limited on street car parking around the side streets surrounding the application site as well as pay and display bays along the frontage with Corbets Tey Road. The proposal demonstrates no provision for off street car parking.
- 3.6 Storage space for refuse and domestic waste materials as well as secure bicycle storage would be provided in disused rooms located off the ground floor areas of the side stairwells. In the northern storeroom the existing internal doorway would be opened up and a new external doorway formed providing access to the service street.
- 3.7 The proposal would retain the commercial uses at ground floor level.
- 3.8 Members are invited to consider this application alongside an identical proposal under application P1257.15 to erect a similar roof extension on the adjacent building at 17-31 Corbets Tey Road. Both buildings were originally erected as a matching pair and share the same 1930's Art-Deco characteristics, form and appearance. It is intended that these measures will help to address issues concerning the potential unbalancing of this pair of buildings within this setting.

4. Relevant History

- 4.1 P0616.14 - Creation of a third floor roof extension incorporating 4 no. two bedroom flats, together with the associated extension/alteration of the existing communal stairwells. – Refused 26 June 2014

5. Consultations/Representations

5.1 Notification letters were sent to 59 properties and 24 representations have been received. The comments can be summarised as follows:

- Loss of light and overshadowing of the houses to the rear.
- Loss of privacy and overshadowing to neighbouring houses and gardens.
- Lack of available parking to accommodate the new flats.
- Existing parking arrangements are congested and the access road is frequently blocked.
- Disruption and disturbance to neighbouring shops and businesses during construction, which will deter shoppers.
- Undue visual impact of the development.
- The proposal is inappropriate and would harm the appearance of an iconic period building.
- Insufficient refuse facilities to cope with household waste from the current residents
- The refuse facilities cannot cope with the additional flats and new residents.

5.2 The following consultation responses have been received:

- Thames Water - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Environmental Health - no objection.
- Local Highway Authority - no objection.

6. Relevant Policies

6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC67 (Buildings of Heritage Interest), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

6.2 Other relevant documents include the Residential Design SPD, Heritage SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.

6.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.15 (reducing noise and enhancing

soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.

- 6.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

7. Staff Comments

- 7.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of occupants of nearby houses and highways considerations.
- 7.2 It should be noted that this current application follows the refusal of planning application P0616.14 in June 2014 for a roof extension proposal. The previous refusal grounds cited that the proposal would appear as overly dominant and intrusive, creating an incongruous feature within the streetscene setting as well as resulting in a loss of loss of privacy/overlooking to the neighbouring residents to the rear. In comparison to the previously refused scheme the current application has sought to reduce the overall scale and bulk of the proposed extensions.

Principle of Development

- 7.3 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 7.4 The upper floors of the building are currently in residential use and the proposed development is effectively seeking to extend this use with the creation of an additional floor of flatted accommodation. Therefore in landuse terms the creation of an additional floor for use as domestic residential purposes is considered to be acceptable in principle.

Density/ Layout

- 7.5 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 7.6 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

- 7.7 For one-bedroom flats with bed spaces for two persons the standard is set at 50 square metres. The proposed one-bedroom flats would provide in excess of this standard with approximately 53 square metres of internal floor space. The main bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed one-bedroom flats would be of an acceptable size for day to day living.
- 7.8 For two-bedroom flats with bed spaces for four persons the standard is set at 70 square metres. The proposed two-bedroom flats would provide just below this standard with approximately 68 square metres of internal floor space. Nevertheless, the flats would also include a generous terrace area to the front providing an additional 20 square metres of floorspace accessed directly from floor to ceiling doors serving both the bedroom and living areas. The main bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. On balance it is considered that the proposed two-bedroom flats would be of an acceptable size for day to day living.
- 7.9 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 7.10 As mentioned the proposed two-bedroom flats would be served by generous terraced areas of approximately 20 square metres each with a westerly aspect. The proposed one-bedroom flats would also each have terraced areas comprising 34 square metres. It is considered that the amount of private amenity space proposed in the development would be suitable for the requirements of the proposed residential units.

Design/Impact on Streetscene

- 7.11 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 7.12 The application site and adjacent building are known locally as Byron Mansions and form a matching pair of 1930s Art Deco brick and render flatted blocks. The buildings which feature numerous details of the architectural style including curved sun-catcher windows, horizontally proportioned panes, curved walls and balconies, strong linear features in the central projection, stairways and windows with a flat roof and rendered panels. These features lend the buildings a high aesthetic value, and the largely identical pair make a strong, positive contribution to the street scene

on Corbets Tey Road. The two properties also link well with other building on the street, which are of the same scale and era.

- 7.13 It is considered that although there is no statutory or local designation applied to these buildings, they are still historically and architecturally valuable. Following the advice received from the Heritage Officer on the previous application P0616.14, it was advised that both of the buildings should be considered undesignated historic assets.
- 7.14 The proposed additional floor will raise the height of the building by approximately 2.7 metres along its full length.
- 7.15 It is acknowledged that in comparison to the previously refused scheme the overall height and width of the proposed roof extension has been reduced to lessen the visual impact on the streetscene. This has included sloping the flanking roof sections and lowering the overall height of the additional floor to limit prominence. As a result it is considered that the proposed extension would form a much more light weight and sympathetic addition to the building compared to the previously refused scheme. The design and style of the proposed stairwell extensions are considered to be sympathetic and adhere to the architectural character of the building; including features such as the horizontally proportioned window panes in the side and central stairwells, the additional brickwork, the curved side walls and characteristic stainless steel terrace railings.
- 7.16 It is considered that the lighter modern touch of the central sections of the roof extension element, including the glazed frontage would provide a modern, open planned living space whilst preserving the integrity of the 1930's building by not attempting to replicate and create pastiche extensions which cannot follow the special Art Deco style identically. In this instance it is considered important that the proposed roof extension is read clearly as a separate, later and subservient addition to the original building in order to preserve the quality of the original architecture and its high aesthetic value.
- 7.17 As a result it is considered that the combination of traditional and modern styles provides a positive addition to the building, and would suitably preserve the fundamental character and appearance of the Art Deco building.
- 7.18 The rear elevation of the existing building features less architectural detailing than the front façade and is finished almost entirely in facing brickwork with metal framed crittall style windows. The previous scheme put forward proposals for a rear elevation that was designed to replicate the existing upper floors with regard to materials, fenestration pattern and style. It was considered that this resulted in a confusion of architectural styles, with the front striving to be contemporary and the rear elevation appearing as a pastiche of the original building. It is considered that the rendered upper floor section and narrow high level windows would complement the existing building.

- 7.19 The symmetrical nature of the pair of buildings fronting the road is a large part of the Byron Mansion's aesthetic appeal. To address this an accompanying application for an identical proposal to the adjacent building has been submitted. Whilst the extensions would raise the overall height of the buildings in comparison to the other buildings along this section of Corbets Tey Road; the Byron Mansion's pair would retain their symmetrical appearance without appearing overly dominant or causing detriment to the character and appearance of the streetscene in this locality.
- 7.20 Whilst undertaking construction work in connection with the proposed roof extension, it would be the applicant's intention to undertake enhancement work to the building. This work would include the redecoration of the internal communal areas and stairwells. The exterior of the building would benefit through the overall cleaning of the exterior stonework. In addition the existing ground floor projecting canopy would be painted and the glazed panels replaced as required. Whilst these works may not require planning permission they would enhance the appearance of the building to the benefit of existing occupiers and the shopping public more generally.
- 7.21 On balance it is considered that the proposed development would contribute positively to the streetscene along this section of Corbets Tey Road and would serve to maintain and enhance the character and appearance of the area in accordance with Policy DC61.

Impact on Amenity

- 7.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 7.23 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the houses to the east of the development site at 25 to 32 Byron Mansions. The application building is located approximately 12.5 metres from the rear of these properties.
- 7.24 Given the existing relationships between the adjacent buildings, outlook from the rear of the houses and gardens at No.25-32 is already dominated to some extent by 1-15 Byron Mansions. Consequently the occupants of these dwellings already experience a degree of overlooking and loss of privacy due to the positioning of the rear windows and balcony in the upper floors. It is therefore acknowledged that under the current circumstances the occupants of No.25-32 can expect to experience an element of privacy loss and overlooking.

- 7.25 The proposed extension would raise the height of the building by approximately 2.7 metres. However, given the nature of the extension and the low profile roofline this is not considered to create an undue amount of additional, height, bulk or massing.
- 7.26 The previous application was refused on the grounds overlooking and loss of privacy to the rear garden environments of neighbouring properties due to the positioning of the rear windows. In order to address this issue the majority of the windows in the rear elevation of the revised scheme would be high level serving both bathrooms and bedrooms. Given the high level nature in comparison to the floor level, a direct outlook down towards the neighbouring properties from these windows would be limited for any future occupants. Four lower level windows would be installed in the central section of the extension serving the kitchens of the two-bedroom flats. However, given the relatively small size and layout of the kitchens it is not considered that these windows would present a vantage point for looking down towards the neighbouring properties at 25 to 32 Byron Mansions.
- 7.27 On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

It is noted that issues of disruption during construction have been raised in representations. This is not considered to be a material planning consideration on which a refusal could be based. A Construction Method Statement is however recommended to be secured through condition.

Environmental Issues

- 7.28 The proposal would not involve any ground breaking operations and as such does not raise concerns in relation to any contaminated land issues.
- 7.29 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 7.30 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 7.31 Policy DC33 seeks to ensure all new developments make adequate provision for car parking, where necessary.
- 7.32 There is limited on street car parking around the side streets surrounding the application site and pay and display bays along the frontage with Corbets Tey Road. The proposal demonstrates no provision for off street car parking.

- 7.33 The application site is located within the an area with a Public Transport Accessibility Level (PTAL) rating of 4, which is regarded as good, and within the core zone of Upminster. The Local Highway Authority has advised that a low (less than 1 space per unit) parking standard applies and therefore a car free development is appropriate in this instance. Members should note that the previous planning application was not refused on the grounds of inadequate parking given the accessibility levels of the site. Staff recommend however that there is a restriction on future occupants obtaining parking permits, which should be secured through S106 Agreement.
- 7.34 The storage and collection of refuse and waste materials would be as per the existing arrangements on the service streets to the side and rear of the building with a new bin stores provided for the existing residents.
- 7.35 Storage space for refuse and domestic waste materials would be provided in disused rooms located off the ground floor areas of the side stairwells. In the northern storeroom the existing internal doorway will be in-filled and a new external doorway formed providing access to the service street.
- 7.36 Disused store rooms would also be utilised for secure bicycle storage with the inclusion of a 'gravity rack' cycle stacking system.

Mayoral Community Infrastructure Levy

- 7.37 The proposed development will create 4.no new residential unit with 292 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £5840.00 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 7.38 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 7.39 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 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.

- 7.40 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 7.41 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 7.42 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 7.43 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.
- 7.44 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.
- 7.45 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 £24,000 for educational purposes would be appropriate.

8. Conclusion

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

- 8.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.
- 8.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be required for 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.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 18 September 2015.

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REGULATORY SERVICES COMMITTEE

28 January 2016

REPORT

Subject Heading:

**P1257.15: 17-31 Corbets Tey Road,
Upminster**

Creation of a third floor roof extension incorporating 4 no. flats, together with the associated extension/alteration of the existing communal stairwells and renovation of the building exterior. (Application received 18 September 2015)

Ward:

Upminster

Report Author and contact details:

**Simon Thelwell
Projects and Regulation Manager
Simon.thelwell@havering.gov.uk
01708 432685**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

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

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

SUMMARY

The proposal is for the creation of a third floor roof extension incorporating 4no. two bedroom flats, together with the associated extension/alteration of the existing communal stairwells.

It raises considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents, and parking and access.

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 292 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £5840.00 Mayoral CIL payment (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £24,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

4. 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.

5. Hours of Construction

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

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

6. Refuse and Recycling

Prior to occupation of any of the proposed flats the refuse and recycling facilities as detailed in drawing no. BM/14/05 shall be provided to the full satisfaction of the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: To 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.

7. Cycle Storage

Prior to occupation of any of the proposed flats the cycle storage facilities as detailed in drawing no. BM/14/05 shall be provided to the full satisfaction of the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

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

8. Commencement of Development at Adjacent Site

Either:

- 1) The commencement of this development shall be within one month of the commencement of planning application P1255.15 at 1-15 Corbets Tey Road, Upminster.

Or:

- 2) Within one month of the commencement of the development granted by this permission, the development granted under planning application P1255.15 at 1-15 Corbets Tey Road, Upminster shall commence.

Written notice of the commencement of development shall be provided within 7 days of works starting.

Reason: In the interests of visual amenity and to ensure that the appearance of the proposed development will harmonise with the adjacent building and the wider streetscene. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

9. Completion of Development at Adjacent Site

Either:

- 1) The completion of this development shall be within one month of the completion of planning application P1255.15 at 1-15 Corbets Tey Road, Upminster.

Or:

- 2) Within one month of the completion of the development granted by this permission, the development granted under planning application P1255.15 at 1-15 Corbets Tey Road, Upminster shall be completed.

Reason: In the interests of visual amenity and to ensure that the appearance of the proposed development will harmonise with the adjacent building and the wider streetscene. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

10. Cleaning and Restoration of Existing Building Elevations

Prior to the occupation of any of the residential units hereby permitted the front, side and rear elevations of the existing building shall be cleaned and restored in accordance with details to be submitted to the Local Planning Authority. The cleaning and restoration shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the proposed development will harmonise with the existing building. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. 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. 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 £5840.00 (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. 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. Call-in

- 1.1 The application and the accompanying application P1255.15 have been called-in to committee by Councillor Linda Van den Hende on the grounds that they represent a significant overdevelopment in the town centre. The appearance of the building will be significantly changed, thus upsetting the street scene with the additional bulk and mass. In addition there is no amenity provided in the design and no parking provision for the 8 new dwellings. There would be a loss of privacy to surrounding properties. There is a school which could be overlooked with potential safeguarding concerns. The blocks are currently occupied by a mixture of owner occupier and rented accommodation. The plans propose in addition to the additional floor, extensive refurbishment which would make living in the current dwellings very difficult, given there is limited access into and out of the flats.

2. Site Description

- 2.1 The application relates to the property at 17-31 Corbets Tey Road, Upminster. This is a three storey Art-Deco style building in mixed use with 8no. commercial units at ground floor level and 12no. residential flats in the two upper floors.
- 2.2 The building fronts onto Corbets Tey Road with a narrow service road to the sides and rear. The property is located some 100 metres south from the junction of Corbets Tey Road and St. Mary's Lane and is situated opposite to the grounds of the Grade I listed St. Laurence's Church.
- 2.3 The land is designated in the LDF as being within the Upminster Major District Centre and as such is surrounded by a mixture of uses including commercial and residential.

3. Description of Proposal

- 3.1 The application is seeking planning permission for the creation of a third floor roof extension incorporating 4no. two bedroom flats, together with the associated extension/alteration of the existing communal stairwells.
- 3.2 The additional floor would involve raising the overall height of the building by approximately 2.7 metres. The extension would project along the full length of the building. To the rear the extension would be constructed off the main elevation and at the front it would incorporate a set back on the frontage with Corbets Tey Road allowing for the inclusion of front roof terraces.
- 3.3 The existing side stairwell sections would be raised by 2.6 metres and the central stairwell section by 1.9 metres to enable internal access to the new flats.
- 3.4 The extension would include a flat roof design and would incorporate original features such as the existing chimneys, with the side and rear elevations and front terrace wall built in matching brickwork.
- 3.5 There is limited on street car parking around the side streets surrounding the application site as well as pay and display bays along the frontage with Corbets Tey Road. The proposal demonstrates no provision for off street car parking.
- 3.6 Storage space for refuse and domestic waste materials as well as secure bicycle storage would be provided in disused rooms located off the ground floor areas of the side stairwells. In the northern storeroom the existing internal doorway would be opened up and a new external doorway formed providing access to the service street.
- 3.7 The proposal would retain the commercial uses at ground floor level.
- 3.8 Members are invited to consider this application alongside an identical proposal under application P1255.15 to erect a similar roof extension on the adjacent building at 1-15 Corbets Tey Road. Both buildings were originally erected as a matching pair and share the same 1930's Art-Deco characteristics, form and appearance. It is intended that these measures will help to address issues concerning the potential unbalancing of this pair of buildings within this setting.

4. Relevant History

- 4.1 At the adjacent building: P0616.14 - Creation of a third floor roof extension incorporating 4 no. two bedroom flats, together with the associated extension/alteration of the existing communal stairwells. – Refused 26 June 2014

5. Consultations/Representations

5.1 Notification letters were sent to 59 properties and 24 representations have been received. The comments can be summarised as follows:

- Loss of light and overshadowing of the houses to the rear.
- Loss of privacy and overshadowing to neighbouring houses and gardens.
- Lack of available parking to accommodate the new flats.
- Existing parking arrangements are congested and the access road is frequently blocked.
- Disruption and disturbance to neighbouring shops and businesses during construction, which will deter shoppers.
- Undue visual impact of the development.
- The proposal is inappropriate and would harm the appearance of an iconic period building.
- Insufficient refuse facilities to cope with household waste from the current residents
- The refuse facilities cannot cope with the additional flats and new residents.

5.2 The following consultation responses have been received:

- Thames Water - no objection
- London Fire and Emergency Planning Authority - no objection.
- Environmental Health - no objection.
- Local Highway Authority - no objection.

6. Relevant Policies

6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC67 (Buildings of Heritage Interest), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

6.2 Other relevant documents include the Residential Design SPD, Heritage SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.

6.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.15 (reducing noise and enhancing

soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.

- 6.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

7. Staff Comments

- 7.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of occupants of nearby houses and highways considerations.

- 7.2 It should be noted that this current application follows the refusal of planning application P0616.14 in June 2014 at the adjacent building 1-15 Corbets Tey Road for a roof extension proposal. The refusal grounds cited that the proposal would appear as overly dominant and intrusive, creating an incongruous feature within the streetscene setting as well as resulting in a loss of privacy/overlooking to the neighbouring residents to the rear. In comparison to the previously refused scheme the current application has sought to reduce the overall scale and bulk of the proposed extensions

Principle of Development

- 7.3 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 7.4 The upper floors of the building are currently in residential use and the proposed development is effectively seeking to extend this use with the creation of an additional floor of flatted accommodation. Therefore in landuse terms the creation of an additional floor for use as domestic residential purposes is considered to be acceptable in principle.

Density/ Layout

- 7.5 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 7.6 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

- 7.7 For one-bedroom flats with bed spaces for two persons the standard is set at 50 square metres. The proposed one-bedroom flats would provide in excess of this standard with approximately 53 square metres of internal floor space. The main bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed one-bedroom flats would be of an acceptable size for day to day living.
- 7.8 For two-bedroom flats with bed spaces for four persons the standard is set at 70 square metres. The proposed two-bedroom flats would provide just below this standard with approximately 68 square metres of internal floor space. Nevertheless, the flats would also include a generous terrace area to the front providing an additional 20 square metres of floorspace accessed directly from floor to ceiling doors serving both the bedroom and living areas. The main bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. On balance it is considered that the proposed two-bedroom flats would be of an acceptable size for day to day living.
- 7.9 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 7.10 As mentioned the proposed two-bedroom flats would be served by generous terraced areas of approximately 20 square metres each with a westerly aspect. The proposed one-bedroom flats would also each have terraced areas comprising 34 square metres. It is considered that the amount of private amenity space proposed in the development would be suitable for the requirements of the proposed residential units.

Design/Impact on Streetscene

- 7.11 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 7.12 The application site and adjacent building are known locally as Byron Mansions and form a matching pair of 1930s Art Deco brick and render flatted blocks. The buildings which feature numerous details of the architectural style including curved sun-catcher windows, horizontally proportioned panes, curved walls and balconies, strong linear features in the central projection, stairways and windows with a flat roof and rendered panels. These features lend the buildings a high aesthetic value, and the largely identical pair make a strong, positive contribution to the street scene

on Corbets Tey Road. The two properties also link well with other building on the street, which are of the same scale and era.

- 7.13 It is considered that although there is no statutory or local designation applied to these buildings, they are still historically and architecturally valuable. Following the advice received from the Heritage Officer on application P0616.14, it was advised that both of the buildings should be considered undesignated historic assets.
- 7.14 The proposed additional floor will raise the height of the building by approximately 2.7 metres along its full length.
- 7.15 There has been no previous application to extend this building. However it is acknowledged that in comparison to the previously refused scheme on the adjacent site the overall height and width of the proposed roof extension has been reduced to lessen the visual impact on the streetscene. This has included sloping the flanking roof sections and lowering the overall height of the additional floor to limit prominence. As a result it is considered that the proposed extension would form a much more light weight and sympathetic addition to the building compared to that previously refused next door. The design and style of the proposed stairwell extensions are considered to be sympathetic and adhere to the architectural character of the building; including features such as the horizontally proportioned window panes in the side and central stairwells, the additional brickwork, the curved side walls and characteristic stainless steel terrace railings.
- 7.16 It is considered that the lighter modern touch of the central sections of the roof extension element, including the glazed frontage would provide a modern, open planned living space whilst preserving the integrity of the 1930's building by not attempting to replicate and create pastiche extensions which cannot follow the special Art Deco style identically. In this instance it is considered important that the proposed roof extension is read clearly as a separate, later and subservient addition to the original building in order to preserve the quality of the original architecture and its high aesthetic value.
- 7.17 As a result it is considered that the combination of traditional and modern styles provides a positive addition to the building, and would suitably preserve the fundamental character and appearance of the Art Deco building.
- 7.18 The rear elevation of the existing building features less architectural detailing than the front façade and is finished almost entirely in facing brickwork with metal framed crittall style windows. The previous scheme for the adjacent building put forward proposals for a rear elevation that was designed to replicate the existing upper floors with regard to materials, fenestration pattern and style. It was considered that this resulted in a confusion of architectural styles, with the front striving to be contemporary and the rear elevation appearing as a pastiche of the original building. It is

considered that the rendered upper floor section and narrow high level windows proposed would complement the existing building.

- 7.19 The symmetrical nature of the pair of buildings fronting the road is a large part of the Byron Mansion's aesthetic appeal. To address this an accompanying application for an identical proposal to the adjacent building has been submitted. Whilst the extensions would raise the overall height of the buildings in comparison to the other buildings along this section of Corbets Tey Road, the Byron Mansion's pair would retain their symmetrical appearance without appearing overly dominant or causing detriment to the character and appearance of the streetscene in this locality.
- 7.20 Whilst undertaking construction work in connection with the proposed roof extension, it would be the Applicant's intention to undertake enhancement work to the building. This work would include the redecoration of the internal communal areas and stairwells. The exterior of the building would benefit through the overall cleaning of the exterior stonework. In addition the existing ground floor projecting canopy would be painted and the glazed panels replaced as required. Whilst these works may not require planning permission they would enhance the appearance of the building to the benefit of existing occupiers and the shopping public more generally.
- 7.21 On balance it is considered that the proposed development would contribute positively to the streetscene along this section of Corbets Tey Road and would serve to maintain and enhance the character and appearance of the area in accordance with Policy DC61.

Impact on Amenity

- 7.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 7.23 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the houses to the east of the development site at 33 to 40 Byron Mansions. The application building is located approximately 12.5 metres from the rear of these properties.
- 7.24 Given the existing relationships between the adjacent buildings, outlook from the rear of the houses and gardens at No.33-40 is already dominated to some extent by 17-31 Byron Mansions. Consequently the occupants of these dwellings already experience a degree of overlooking and loss of privacy due to the positioning of the rear windows and balcony in the upper floors. It is therefore acknowledged that under the current circumstances the

occupants of No.33-40 can expect to experience an element of privacy loss and overlooking.

- 7.25 The proposed extension would raise the height of the building by approximately 2.7 metres. However, given the nature of the extension and the low profile roofline this is not considered to create an undue amount of additional, height, bulk or massing. The rear of the extension would include high level windows serving both bathrooms and bedrooms. Given the high level nature in comparison to the floor level, a direct outlook down towards the neighbouring properties from these windows would be limited for any future occupants. Four lower level windows would be installed in the central section of the extension serving the kitchens of the two-bedroom flats. However, given the relatively small size and layout of the kitchens it is not considered that these windows would present a vantage point for looking down towards the neighbouring properties at 33 to 40 Byron Mansions.
- 7.26 On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.
- 7.27 It is noted that issues of disruption during construction have been raised in representations. This is not considered to be a material planning consideration on which a refusal could be based. A Construction Method Statement is however recommended to be secured through condition.

Environmental Issues

- 7.28 The proposal would not involve any ground breaking operations and as such does not raise concerns in relation to any contaminated land issues.
- 7.29 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 7.30 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 7.31 Policy DC33 seeks to ensure all new developments make adequate provision for car parking, where necessary.
- 7.32 There is limited on street car parking around the side streets surrounding the application site and pay and display bays along the frontage with Corbets Tey Road. The proposal demonstrates no provision for off street car parking.
- 7.33 The application site is located within the an area with a Public Transport Accessibility Level (PTAL) rating of 4, which is regarded as good, and within

the core zone of Upminster. The Local Highway Authority has advised that a low (less than 1 space per unit) parking standard applies and therefore a car free development is appropriate in this instance. Members should note that the previous planning application was not refused on the grounds of inadequate parking given the accessibility levels of the site. Officers recommend however that there is a restriction on future occupants obtaining parking permits, which should be secured through S106 Agreement

- 7.34 The storage and collection of refuse and waste materials would be as per the existing arrangements on the service streets to the side and rear of the building with a new bin stores provided for the existing residents.
- 7.35 Storage space for refuse and domestic waste materials would be provided in disused rooms located off the ground floor areas of the side stairwells. In the northern storeroom the existing internal doorway will be in-filled and a new external doorway formed providing access to the service street.
- 7.36 Disused store rooms would also be utilised for secure bicycle storage with the inclusion of a 'gravity rack' cycle stacking system.

Mayoral Community Infrastructure Levy

- 7.37 The proposed development will create 4.no new residential unit with 292 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £5840.00 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 7.38 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 7.39 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 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.

- 7.40 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 7.41 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 7.42 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 7.43 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.
- 7.44 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.
- 7.45 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 £24,000 for educational purposes would be appropriate.

8. Conclusion

- 8.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 8.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.
- 8.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be required for the completion of a legal agreement

Human Resources implications and risks:

None.

Equalities implications and risks:

The Councils planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 18 September 2015.

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REGULATORY SERVICES COMMITTEE

28 January 2016

REPORT

Subject Heading:

P1673.15 – 21 Gilbert Road, Romford -
Proposed change of use from C2
residential institution to residential
accommodation comprising 3no. flats
(Application received: 16-11-15)

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
National Planning Policy Practice
Guidance

Financial summary:

Not relevant

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 subject property lies within a predominantly residential area to the east of Romford town centre. The property is a three-storey former care home which it is proposed to convert into three flats, one on each floor. The new dwellings would contribute to Havering's housing needs and given the location the proposed change of use is considered acceptable in principle. There is adequate off-street car parking to the front and side of the property. The proposal would provide an appropriate standard of accommodation for future residents and would have adequate amenity space which includes existing rear balconies. While there is the potential for overlooking of rear gardens from these balconies, subject to appropriate conditions the proposal is judged to be acceptable. Subject to the prior completion of a S106 planning obligation to secure a contribution towards education needs generated by the development and to control applications for resident parking permits the proposal is considered acceptable.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £18,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

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

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

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

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

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

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

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

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

5. *Noise insulation* - The noise level in rooms of the development hereby permitted shall meet the noise standard specified in BS8233:2014 for internal

rooms. Details shall be submitted to the Local Planning Authority prior to first occupation of the development to demonstrate that this has been achieved.

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

6. *Obscure-glazing* - The first and second floor flats shall not be occupied until screening panels have been erected adjacent to the flank walls of the external balconies in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority. The panel shall be to a minimum height of 1.7 metres and shall be permanently glazed with obscure glass to a glazing rating level of a minimum of level 3. The panel shall be erected in accordance with the approved details and retained in position for the lifetime of the development.

Reason: Insufficient information has been supplied with the application to demonstrate how the potential for overlooking of rear garden areas of adjoining properties would be adequately mitigated. The agreement and implementation of appropriate level of screening prior to occupation is considered necessary in the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. *Car parking* - Before the building(s) hereby permitted is first occupied, provision shall be made within the site for five car parking spaces and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking provision is made off street in the interests of highway safety.

8. *Restriction of use* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3 Class L, no development consisting of a change of use of any of the dwellings hereby permitted to a small HMO (Use Class C4) shall take place without the express permission of the Local Planning Authority following a planning application.

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.

9. *Hours of construction* - All building and conversion works associated with the development, including 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.

10. *Restriction use (outbuilding)* - The existing outbuilding to the rear of the main property shall only be used for purposes ancillary and incidental to the main residential use of the property and for no other purpose.

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

Informatives

1. *DMO Statement* - 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. *Planning obligation* - The planning obligation required has been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
3. *Temporary use of the highway* - If any construction materials are proposed to be kept on the highway during conversion 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.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site comprises a three-storey property previously used as a care home which lies within a predominantly residential area to the east of Romford Town Centre. The site, including rear amenity area amounts to 0.23 hectares.
- 1.2 The building is constructed in white painted brick with timber cladding above, under a pitched tiled roof. There are dormers to the front, side and rear. The building has been extended on various occasions to provide additional

accommodation. There are rear terraces/balconies on both the first and second floor which provide access to a fire escape required as part of the former use.

- 1.3 There is a surfaced car parking area to the front of the property sufficient for five cars. To the rear is an outbuilding used as a laundry and store room when the care home was operational.
- 1.4 The site backs on to the gardens of properties in Erroll Road and adjoins rear gardens of properties in Kingston Avenue to the south. The adjoining property in Kingston Road is a bungalow which is also owned by the applicant which includes a rear garage/store. The parking in front of the building is included within the application site. The rear boundary includes a mature Horse Chestnut with all boundaries having close boarded fencing.

2. Description of proposal

- 2.1 It is proposed to convert the building into three flats, one on each floor. These would comprise 2x three-bed on the first two floors and 1x one bed on the second. Each would have internal dimensions that meet the nationally described space standards.
- 2.2 The first and second floor flats would have access via a new entrance adjacent to no. 19 Gilbert Road, whilst the ground floor flat would use the existing entrance on the south side of the building.
- 2.3 Car parking spaces would be provided to the front of the building and in front of the adjoining garage sufficient for 6 spaces. The rear terraces and fire escape would be retained, as would the outbuilding. The rear area would provide communal amenity space.
- 2.4 No external changes to the building are proposed apart from the new entrance and there would be no additional floorspace created.

3. Relevant History

- 3.1 P1153.15 - Proposed change of use of existing buildings from C2 residential institution to C3 residential accommodation to form 7 no. flats and construction of first floor extension to main building - withdrawn
- 3.2 P1427.14 - Change of Use from C2 (residential institution) to Sui Generis (shared residential accommodation) and minor internal layout changes - withdrawn
- 3.3 P0893.13 - Two storey extension and car parking at existing nursing home - refused
- 3.4 P0737.11 - Demolition of bungalow (11 Kingston Road) and two garages at rear. Erection of part two storey & part single storey extension as enlargement of existing nursing home - containing 13 no. bedrooms and wetrooms, ensuite, plus kitchen, dining room and office - refused, appeal dismissed

3.5 P1048.07 - Second floor additional bedroom & en suite including raised roof alterations and single storey rear conservatory - refused

3.6 P0185.92 - Enlarge front dormer and erect single storey side and first and second floor rear extensions and conversion of existing garage to laundry room and food store - approved

4. **Consultations/Representations**

4.1 Neighbours have been notified of the application and nine letters of representation have been received, five raising objections, three raising queries, and one in support. Concerns are raised as follows:

- Development acceptable if only three self-contained flats, but concerned if this leads to further subdivision to HMOs. This should be restricted by condition;
- Overcrowding of the area leading to impact on local services, including parking;
- Could lead to further subdivision and multi-occupancy;
- Overlooking of rear gardens;
- Noise from cars and from increased use of rear garden area;
- Would increase number of occupants above normal family house;
- Would set a precedent for further conversions;
- Loss of light (based upon mistaken belief property is to be extended);
- Additional odour from increased occupancy;
- Increased use of balcony areas would lead to unacceptable loss of privacy;
- New communal access would cause disturbance to adjoining occupiers;
- Building in need of refurbishment;
- Concerns about future use of the outbuilding.

4.2 Streetcare (Highways) has no objections but requests a S106 agreement preventing future occupiers applying for resident's parking permits.

4.3 Thames Water has no objections

4.4 London Fire Brigade (Water Team) is satisfied with the proposals.

4.5 London Fire and Emergency Planning Authority advise that pump appliances should be able to approach within 45m of all points of the building.

4.6 Public Protection requests conditions covering sound insulation between the new units. There are no concerns regarding ground contamination.

5. **Relevant Policies**

5.1 Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD): Policies CP1 (Housing Supply);

CP9 (Reducing the need to travel); CP17 (Design); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC4 (Conversion to Residential and Subdivision of Residential Uses); DC7 (Lifetime Homes and Mobility Housing); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC61 (Urban Design); DC62 (Access) and DC72 (Planning obligations).

- 5.2 In addition, the evidence base to the Planning Obligations SPD and Residential Design SPD are also material considerations. The evidence base sets out the justification for an education contribution and the Residential Design SPD provides guidance on safeguarding residential amenity and amenity space provision for new residential units.
- 5.3 London Plan: Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments) and 6.13 (parking).
- 5.4 The National Planning Policy Framework, the National Planning Practice Guidance and the Technical housing standards (nationally described space standard) are also relevant.

6. **Staff Comments**

Principle of the development

- 6.1 The application site lies within the existing urban area where a change of use back to residential would be acceptable in principle in accordance with LDF Policy CP1. The provision of three additional dwellings would contribute to meeting Havering's housing needs in a sustainable location close to the town centre.
- 6.2 Policy DC4 sets criteria that need to be satisfied for the conversion of premises to residential. The main issues in this case are as follows:

- Whether the proposal would have an unacceptable impact on the amenity of neighbours including any loss of privacy, in particular as a result of overlooking;
- Whether the standard of accommodation to be provided is acceptable, including the amount of amenity space;
- Whether there is an acceptable level of parking for future occupiers;

These issues are assessed below.

Design/Impact on the streetscene

- 6.3 The proposal is for the conversion of the existing building with only minor external changes, therefore, there would be no significant impact on the streetscene or on the character and appearance of the area.

Impact on amenity

- 6.4 The application site lies within an area of generally larger family dwellings on generous plots. The property to be converted is detached and it is well separated from the adjoining neighbours. The building has previously been used as a care home occupied by up to 12 residents and staff. The proposed change of use would not significantly alter the level of occupancy, but there could be an increase in the level of activity given that the larger flats would be likely to be occupied by families. However, given the separation from the nearest neighbours Staff consider that this would be unlikely to result in any significant additional impact from noise and disturbance.
- 6.5 One of the objectors has raised concerns about the potential for additional impacts from odour resulting from the additional occupancy. Staff consider that there would be no material impact arising having regard to the previous use.
- 6.6 The rear amenity space would be used by the occupiers of the three flats as communal space and the first and second floor flats would have use of their existing balconies/terraces. The level of activity in these areas would increase compared with the previous use and result in some additional general noise and disturbance to adjoining residents. However, given that some form of residential use is acceptable in principle it will be a matter of judgement for members as to whether the likely level of use would be significantly different from, say, a large detached house which would have been the original use prior to the care home being established. Staff consider that the likely level of use of the rear amenity area would not result in any significant impact on adjoining occupiers over and above what would be expected from the use of a rear garden area of a large family house.
- 6.7 There is also a potential for a significant impact on the amenity of neighbours arising from overlooking from the rear balconies/terraces. These already exist and account needs to be taken of the previous use and that some overlooking would have occurred, although at a much reduced level. The gardens of the nearest properties are overlooked from these balconies and the rear fire escape. The removal of the fire escapes would reduce the potential for overlooking and these are not required under the Building Regulations, however this does not form part of the proposal. Staff consider that measures could be implemented to reduce overlooking through the erection of screens. Such measures could significantly reduce any overlooking and could be required by planning condition. In the light of this Staff consider that the reduced impact that could be achieved would be acceptable and that subject to a condition would not amount to a material objection to the conversion.
- 6.8 Overall Staff consider that, subject to appropriate conditions the change of use would not have a materially adverse impact on adjoining occupiers, such as to justify refusal of planning permission.

Standard of accommodation

- 6.9 London Plan Policy 3.5 C requires that new dwellings should provide an acceptable standard of accommodation and reflect internal space standards. These are now set out in nationally described standards published in March 2015 which now replace those in the London Plan. The proposed flats would meet the nationally described standards so the proposed internal layout would provide an acceptable level of accommodation internally.
- 6.10 With regard to the external space the rear amenity area amounts to about 165 square metres (excluding the out building) and there is an addition 16 square metres to the side. This space is both usable and private. In addition there are the two existing balconies/rear terraces that it is proposed to be retained as amenity space. Taken together these are considered to provide an acceptable level of external space for the development and meet the LDF and London Plan policies on external amenity space.

Parking and Highway Issues

- 6.11 The site lies within an area with a PTAL of 5-6 where parking of between 1.5-1 spaces per unit is appropriate under LDF Policy DC2. The parking provision available at the site amounts to 6 spaces if the parking space in front of the adjoining garage which is owned by the applicant is included. Up to 5 spaces could be provided within the application site which would meet the policy requirement, although with two of the flats being three-bed, this may not provide sufficient parking for visitors.
- 6.12 Gilbert Road and the adjoining roads have parking restrictions along most of their lengths; however, there are a small number of resident parking bays, including some close to the application site. In view of the demand for parking permits and the limited spaces available, Streetcare (Highways) has requested that a restriction is imposed on applications from future residents. This would be secured through a S106 planning obligation.
- 6.13 While the adjoining land is shown as being under the control of the applicant, the proposed site layout does not include parking on the land. This provision could be required to be made and retained through a condition; however, if the bungalow were sold off at some future date then the parking might no longer be available. In these circumstances Staff consider that a restriction on applications for parking permits can be justified as necessary to make the development acceptable.

Infrastructure impact of the development

- 6.14 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and

- (c) fairly and reasonably related in scale and kind to the development.
- 6.15 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.16 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.17 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.18 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 Policies DC29 and DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.19 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.
- 6.20 It would, therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6,000 per dwelling (net increase) for educational purposes would be appropriate.

6.21 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with Policies DC29 and DC72. There would be a net addition of 3 units and a charge of £18,000 is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.

Other issues

6.22 Concern has been raised by some of the objectors that, once permitted, the flats could be converted to small HMO's (House in Multiple Occupation). Whilst this does not form part of this planning application such a change of use would be allowed by the General Permitted Development Order (2015). In view of the potential impacts that such a change could have on the area Staff have recommended a condition (condition 8) that restricts a change of use to a small HMO without a planning application first being made. This would ensure that any potential impacts would be fully assessed by the authority before such a change was allowed.

7. Mayor's Community Infrastructure Levy (CIL)

7.1 No new floorspace is to be created so there would be no Mayoral CIL liability.

8. Conclusions

8.1 The proposed development would provide three new residential units within a residential area close to Romford town centre. The change of use proposed would be acceptable in principle, subject to meeting the criteria in LDF policy DC4. The development would result in an acceptable level of accommodation for future occupiers, including external amenity space and provide adequate parking. Subject to conditions on screening Staff judge that there would not be an unacceptable adverse impact on the amenities of adjoining residents, with from overlooking or from any increased noise and disturbance. On balance Staff consider that the proposal is acceptable and approval is recommended subject to the prior completion of a S106 Planning Obligation.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

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

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

Human Resources implications and risks:

None

Equalities implications and risks:

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

BACKGROUND PAPERS

1. Application form and revised plans received 16th November 2015.

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