



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
18 February 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
richard.cursons@onesource.co.uk**

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 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 28)

5 P1419.15 - LEXINGTON WAY GARAGE BLOCK, LEXINGTON WAY, CRANHAM (Pages 29 - 50)

- 6 **P1274.15 - BLOCK 8 FORMER OLDCHURCH HOSPITAL, UNION ROAD, ROMFORD** (Pages 51 - 76)
- 7 **P1773.15 - ENGAYNE PRIMARY SCHOOL, SEVERN DRIVE, CRANHAM** (Pages 77 - 84)
- 8 **P1554.15 - 144 CORBETS TEY ROAD, UPMINSTER** (Pages 85 - 102)
- 9 **P1609.15 - 1 SPILSBY ROAD, HAROLD HILL, ROMFORD** (Pages 103 - 112)
- 10 **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

Regulatory Services Committee

18 February 2016

Application No.	Ward	Address
P0405.15	Gooshays	Plots 1-6 Gravel Pit Coppice, Caravan Park, Benskins Lane
P1420.15	Emerson Park	14 Beverly gardens, Hornchurch
P1705.15	Upminster	Corbets Tey School, Harwood Hall Lane, Upminster

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 18th February 2016

APPLICATION NO. P0405.15
WARD: Gooshays **Date Received:** 22nd June 2015
Expiry Date: 17th August 2015

ADDRESS: Plots 1-6 Gravel Pit Coppice
Caravan Site
Benskins Lane
Noak Hill

PROPOSAL: Change of use of land to a private gypsy and traveller caravan site comprising of six pitches.

DRAWING NO(S): 01364/1 Rev1 Site Location
01364/2 Rev 1 Block Plan
01364/5 Rev 1 Static Van 1
01364/6 Rev 1 Amenity Block/Store 1
01364/4 Rev 1 Amenity Block
01364/8 Rev1 Static Van 3
01364/9 Rev 1 Static Van 4
01364/10 Rev 1 amenity Block/Day Room 4,5,6
01364/11 Rev 1 Static Van 6
01364/7 Rev 1 Amenity Block/Store 2

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

SITE DESCRIPTION

The site, which amounts to 0.6 Hectares lies within the Green Belt to the north of the main residential areas of Harold Hill. The site lies at the northern end of Benskins Lane, an unmade road that runs from Church Road to the M25. The site consists of six plots, each with hard surfacing and grassed areas. Close-boarded fencing separates the plots from each other and each contains one static caravan and at least one touring caravan. There are a number of smaller buildings within each plot, including timber sheds used as utility buildings and parking areas for vehicles. Each plot is occupied by a single family, including children.

There is woodland to the north east and west. To the south it is mainly open, but there are several open storage yards, industrial and commercial uses and residential properties along Benskins Lane. There is a further traveller site adjoining which has recently been granted a temporary permission. At the eastern end of the site there is a further traveller pitch, but this is unoccupied and does not form part of this planning application.

DESCRIPTION OF PROPOSAL

This application seeks permission for the retention of the residential caravan site, with associated hardstanding, fencing, utility buildings and other structures. The application details state that the families occupying the site fall within the definition of traveller as set out in the latest government guidance. It is stated that they have a nomadic habit of life, but do not travel during terms time as most of the children are at local schools. They have not ceased to travel. The application seeks

the permanent retention of the 6 pitches. The personal circumstances of the families occupying the site and the substantial unmet demand for sites in Havering are put forward as very special circumstances to outweigh the harm to the Green Belt.

RELEVANT HISTORY

P0336.11 - Retention of change of use of land to a private gypsy and traveller caravan site comprising of six pitches -approved (3 years)

P1710.07 - Change of use land to Caravan Site for residential occupation with associated operational development for occupation by Gypsy-Travellers. (retrospective) - approved (3 years)

Appeal App.B5480/C/04/2000132 - temporary occupation approved

CONSULTATIONS / REPRESENTATIONS

The application was advertised and notification letters sent to adjoining occupier. No responses have been received.

RELEVANT POLICIES

Planning policy for traveller sites (DCLG)

LDF

- CP02 - Sustainable Communities
- CP14 - Green Belt
- DC08 - Gypsies and Travellers
- DC33 - Car Parking
- DC45 - Appropriate Development in the Green Belt
- DC58 - Biodiversity and Geodiversity
- DC61 - Urban Design

OTHER

LONDON PLAN - 3.8 - Housing choice

LONDON PLAN - 7.16 Green Belt

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NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The site has already been developed and no new floorsapce is proposed to be created. In these circumstances the development is not liable for Mayoral CIL.

STAFF COMMENTS

The planning history of this site and the previous grant of temporary planning permission is material to the consideration of this application and whether a further planning permission should be granted. Currently the Council does not have an adopted or draft site allocations document for traveller sites, however, an assessment of need is in preparation as part of the new local plan. The timescale for the adoption of a site allocations document is the end of 2017. The lack of locally

set up-to-date targets and a five year supply of sites has been the reason for the grant of a number of temporary consents for traveller sites across the Borough, including the earlier permissions for this site. This remains a material consideration in this case.

The recent guidance in the Planning policy for traveller sites (PPTS) updates the definition of traveller. It refers to people of nomadic habit of life, including those who have ceased to temporarily travel on the grounds of their family's or dependent's educational or health needs or old age. Determining whether the cessation of travelling is temporary, will need to be assessed on a site by site basis. The details submitted with the application indicate that the site is now occupied by some different families to those listed in the 2011 planning permission. A number of the children living on the site were born there and some attend local schools. This would indicate that some of the original occupants have in fact moved on. The details submitted with the application state that the occupants continue to travel, but not normally during term time when the children are at school. Most of the occupants listed in the application are either children or their mothers. On the basis of the information submitted it is considered that the applicant families do meet the definition of traveller.

BACKGROUND

The site was first occupied in 2004 and the Council served enforcement notices against the unauthorised development. An appeal followed and the decision allowed the occupiers at the time to stay on site for a further two years (to September 2007) to give time for them to find alternative accommodation. Since that decision the number of families occupying the site increased and the use intensified, although the site area remained the same. Key to the appeal decision was the consideration of both the shortage of sites in the area and the special needs of the families on site, however, these factors were not considered sufficient to override the material harm to the Green Belt, such as to justify the grant of planning permission.

In 2007 the committee considered an application to further extend the period of occupancy. In reaching its decision to grant a further three years consideration was given to the appeal decision and to a case of very special circumstances put forward by the applicant. These included the need for a settled base, especially in relation to access to education and medical services. However, the committee did not accept that these amounted to the very special circumstances necessary to overcome policies for the protection of the Green Belt. Nevertheless a three year temporary permission was granted to meet a short term need until the Council had assessed sites within the Borough to meet future needs in a proposed Gypsy and Traveller Development Plan Document as part of the LDF.

A second temporary permission was granted in 2011 giving a further three years (to November 2014). In granting this permission the Committee recognised that temporary permissions had been granted for sites in the vicinity to meet a short term need until the Council had assessed future needs and identified sites through its proposed Gypsy and Traveller DPD and that the circumstances in that case were similar.

Since this application was submitted a change of use of adjoining land as a traveller site has been granted permission for three years on appeal. The Inspector concluded that a temporary permission should be granted to allow the Council to progress a new gypsy and traveller local plan and the applicant to pursue a site through the local plan process. The circumstances in respect of

the current application are very similar.

PRINCIPLE OF DEVELOPMENT

The site lies within the area identified in the Havering Local Development Framework Core Strategy and Development Control Policies DPD(LDF) as Green Belt. LDF Policy DC45 and government guidance in the National Planning Policy Framework sets out what development is appropriate in Green Belts and this does not include gypsy and traveller sites. More specifically the guidance in Planning Policy for Traveller Sites (PPTS) is that traveller sites (temporary or permanent) in the Green Belt are inappropriate development.

The policy in the PPTS is that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt. Subject to these considerations, such development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Therefore, the proposed development for six traveller pitches is considered unacceptable in principle. Very special circumstances will need to be demonstrated if a further permission, temporary or permanent, is to be considered acceptable.

GREEN BELT IMPLICATIONS

Revised guidance on traveller sites was issued 31 August 2015. This includes matters covered by ministerial statements made since the earlier guidance in respect of traveller sites in the Green Belt. It is clear that the lack of a five-year supply of deliverable sites does not carry significant weight in the Green Belt. Local provision and the need for sites, including the availability of alternative accommodation (or lack of it) is a material consideration, however, in the Green Belt this carries very limited weight. In the appeal decision for the adjoining site the Inspector considered this issue and concluded that the personal circumstances of the applicant and the lack of a traveller plan did amount to very special circumstances but only in respect of the grant of a temporary permission. The circumstances in the current case are very similar and are also not materially different to those that existed in 2007 and 2011 when temporary permissions were granted.

Given that there are similar circumstances which, taken together with the planning history of the site, are considered sufficient to demonstrate that a temporary permission of three years would also be appropriate. The occupants are considered to meet the revised definition of traveller. The new Local Plan that would replace the LDF and the associated Site Allocations Local Plan, that will include traveller sites, is due for adoption before the end of 2017 and a three year permission is considered appropriate in this context.

OTHER ISSUES

LDF Policy DC8 identifies seven criteria that need to be satisfied in assessing the suitability of sites for traveller pitches. These include helping to meet an identified need; having an acceptable impact on the area and on residential amenity; having acceptable access and parking, and being reasonably accessible to local services. The 2011 application was assessed against these criteria and considered to be acceptable. There has been no material change in the site layout or other matters covered by the criteria, except that the position regarding need has changed as a result of the revised definition of traveller in government guidance. The new definition will be used in an updated needs assessment for the site allocations local plan. Therefore, there is currently no local

need identified. The previous assessment in the Gypsy and Traveller Site Local Plan was withdrawn last year following the decision not to continue with the public examination of the plan.

The decision on the adjoining land is material in this regard. At the hearing regarding the adjacent site the Council agreed that it could not show a five-year supply of sites in accordance with government guidance and since the withdrawal of the Gypsy and Traveller site Local Plan there were no up-to-date locally set targets. The Inspector noted that the Council would have to go back to the beginning of the process and carry out a further needs assessment. This remains true notwithstanding the change in definition since the decision. In his conclusion the Inspector stated that the proposal was a case where a temporary permission could be granted to allow the Council to progress with its site allocations local plan. This amounted to very special circumstances that justified a temporary permission.

SECTION 106

Policy DC72 provides for contributions to education facilities to address the impact of new residential development. The proposal is for a permanent site which could justify a contribution, however, the site has been occupied for over ten years and it is arguable whether there would be an increased demand for school places. A further factor is that only a temporary permission for three years is being recommended. In such circumstances Staff consider that seeking a contribution would not be reasonably justified.

KEY ISSUES / CONCLUSIONS

The proposed development is unacceptable in principle in the Green Belt and the development would only be acceptable if there are very special circumstances such as to outweigh this objection. Staff consider that the particular circumstances of the applicant do not amount to the very special

circumstances necessary for an exception to Green Belt policy as set out in the National Planning Policy Framework and the Planning policy for traveller sites (DCLG). Previous decisions in respect of nearby sites have, however, recognised that in the absence of any designated sites within the Borough and pending the preparation of a Site Allocations Local Plan there is a case for granting temporary planning permission. Staff, therefore, consider that taking all circumstances into account that it would be appropriate to grant a further temporary permission for three years. This would give time for the site to be assessed as a permanent site as part of Site Allocations Local Plan in accordance with the latest government guidance. and for the occupiers to continue to look for alternative sites. The proposal would otherwise meet the criteria set out in Policy DC8 of the LDF. The grant of temporary permission for three years is recommended accordingly.

RECOMMENDATION

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

1. Non standard condition

This permission shall be for a limited period only expiring on 18th February 2019 on or before which date the use hereby permitted shall be discontinued, any buildings and works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason:-

To protect the amenities of the area and maintain the open character of the Green Belt in accordance with Policies DC8 and DC61 of the Development Control Policies Development Plan Document.

2. Non standard condition

This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Annex 1 Glossary to Planning policy for traveller sites (DCLG August 2015).

Reason:-

Permission is granted solely in recognition of the unmet need for gypsy and traveller sites in Havering in accordance with the guidance in 'Planning policy for traveller sites'(DCLG August 2015).

3. Non standard condition

The residential use hereby permitted shall be restricted to the stationing of: Plot 1 - no more than 2 static caravans or mobile homes at any time; Plot 2 - no more than 2 static caravans or mobile homes; Plot 3 - no more than two static caravans or mobile homes; Plot 4 - no more than two static caravans or mobile homes; Plot 5 - no more than two static caravans or mobile homes and Plot 6 - no more than two static caravans or mobile homes.

Reason:-

To protect the amenities of the area and maintain the open character of the Green Belt in accordance with Policies DC8 and DC61 of the Development Control Policies Development Plan Document and the guidance in the National Planning Policy Framework.

4. Non standard condition

The use hereby permitted shall be carried on only by the following: Mrs Theresa Clarke (Plot 1); Mrs Bidy (Bridget) Delany (Plot 2); Mrs Eileen Maloney (Plot 3); Mrs Kathleen O'Driscoll (Plot 4); Mrs Mary Clarke (Plot 5) and Mr Patrick Clarke (Plot 6), and their resident dependents and shall be for a limited period being the period of 3 years from the date of this decision, or the period during which the respective plots are occupied by them, whichever is the shorter. No plots shall be re-occupied once vacated by the named occupier(s).

Reason:-

Permission is granted for a period pending the allocation of sites in a future Site Allocations Local Plan and in recognition of the particular circumstances of the applicants in accordance with the guidance in 'Planning policy for traveller sites'(DCLG August 2015).

5. Non standard condition

No commercial activities shall take place on the land, including the storage of materials.

Reason:-

To protect the amenities of the area and the openness of the Green Belt in accordance with Policies DC8 and DC61 of the Development Control Policies Development Plan Document and the guidance in the National Planning Policy Framework.

6. Non standard condition

When the individual plots cease to be occupied by the persons specified in condition 3 above no further occupation of the plot shall take place. Once all of the plots cease to be occupied or at the end of the 3 years of this permission, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought onto the premises in connection with the use shall be removed and the land restored to its former condition.

Reason:-

To protect the amenities of the area and the open nature of the Green Belt in accordance

with Policies DC8 and DC61 of the Development Control Policies Development Plan Document and the guidance in the National Planning Policy Framework.

7. Non standard condition

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

Reason:-

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

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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 18th February 2016

APPLICATION NO. P1420.15
WARD: Emerson Park **Date Received:** 14th October 2015
Expiry Date: 9th December 2015

ADDRESS: 14 Beverley Gardens
Hornchurch

PROPOSAL: The demolition of number 14 Beverley Gardens the formation of a new access road and footpath and the erection of a three bedroom bungalow with two associated car parking spaces.

DRAWING NO(S): CH-P-101
CH-P-102
CH-P-103
CH-P-108
CH-P-105
CH-P-106
CH-P-107
CH-P-104

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

SITE DESCRIPTION

The development site is a plot of rear garden land behind a number of properties along Beverley Gardens, Curtis Road and Channing Close. The specific area of development is located behind No.'s 12 and 14 Beverley Gardens.

The surrounding area is an established residential suburb in the Emerson Park Policy Area. This is characterised by low density development, comprising mainly detached or semi-detached houses. The buildings are typically single-level in height with extensive landscaping/planting.

DESCRIPTION OF PROPOSAL

The proposal is for the demolition of the existing dwelling at No. 14 Beverley Gardens, the construction of a driveway to the rear of the sites and a three-bedroom, single level bungalow in the south-eastern part of the site

RELEVANT HISTORY

The site has an extensive planning history:

P0700.14 - Demolition of No.14 Beverley Gardens, the formation of a new access road and footpath and the erection of a detached three bedroom bungalow with car port for the parking of two cars and two additional car parking spaces - Refused and allowed on appeal

P0675.14 - The demolition of number 14 Beverley Gardens, the formation of a new access road and footpath, and the erection of 2 dwellings consisting of 2 x 3 bedroom bungalows, one with a

detached double garage and one with an integral double garage - Allowed on appeal

P1565.12 - Demolition of No. 14 Beverley Gardens, the formation of a new access road and footpath and the erection of two dwellings consisting of 2 x 3 bedroom bungalows, one with a detached double garage and one with an integral double garage - outline application - Refused. Allowed on appeal.

P1892.10 - Demolition of No. 14 Beverley Gardens, the formation of a new access road and footpath and erection of four dwellings with four car ports (outline) - Refused. Appeal dismissed.

P2162.07 - Demolition of No. 14 Beverley Gardens, the formation of a new access onto Beverley Gardens and the erection of 3 x 3 bed bungalows with garages - Refused and dismissed on appeal.

P1290.06 - Erection of 5 x 4 bed detached dwelling with garages - Refused and dismissed on appeal.

P0076.05 - Demolition of existing bungalow and erection of 10No. houses with garages and access road - Refused.

P1156.04 - Demolition of existing bungalow and erection of 10No. houses with garages and access road - Refused and dismissed on appeal.

The planning decision most relevant to the assessment of this planning application is P0700.14 (APP/B5480/A/14/2223361) which assesses the appropriateness of development within this part of the site.

In the appeal decisions the Planning Inspectors made these salient points:

- the appeal site is situated in sector 5 of the Emerson Park Policy Area (EPPA), which contains a mixture of medium and large family sized houses set in spacious well landscaped grounds and smaller, often semi-detached properties set in smaller grounds
- properties in Curtis Road have long, largely undeveloped rear gardens and the area immediately to the north of the appeal site is punctuated by later developments at Channing Close, The Lombards and Fairlawns Close, which have a backland character
- Beverley Close to the west further consolidates the built form to the rear of properties in Beverley Gardens.
- these developments, which now form part of the established structure and layout of the area have largely maintained the areas spacious character
- the current appeal site is to be retained as an undeveloped landscaped area under the extant permission, which the previous Inspector concluded helped to provide a visual break between the existing and proposed development in the area
- although the footprint of the dwelling would also be larger and the depth of the plot shallower than many other properties in the vicinity, by enlarging the site area the width of the plot would be increased. The staggered footprint of the property would reduce its site coverage and increase the sense of spaciousness around the dwelling, particularly to the rear of the plot
- the resultant building to plot ratio would therefore be broadly comparable, and in some cases

larger than those of nearby dwellings in Beverley Gardens, Beverley Close and Channing Close.

- moreover, the front garden area would be generously sized and would add to the open, landscaped appearance of the plot.
- whilst the new dwelling would be positioned relatively close to the side boundaries of the site, properties in the area generally extend across the majority or even the whole width of plots.
- the hipped roof design of the proposed dwelling combined with its modest height would further reduce any potential sense of enclosure or loss of openness.
- therefore the proposed plot would appear deceptively spacious and not be unduly cramped or out of keeping with the prevailing pattern of development in Sector 5 which recognises that both dwellings and plot sizes in this area vary in size

The Inspector concludes by stating that there would be some, limited encroachment into existing undeveloped gardens. However, for the reasons outlined the appeal scheme would not conflict with the established open and spacious character of Emerson Park. Nor would it involve the loss of significant landscape features. Consequently, the proposal would not harm the character and appearance of the surrounding area

The comments made by the Inspector are judged to be a material consideration in respect of this current application.

CONSULTATIONS / REPRESENTATIONS

A total of 47 parties were consulted as part of the planning application process. A total of 15 objections have been received. The objections raised the following matters:

*planning matters

- loss of privacy and increased overlooking
- increased traffic and vehicle movements
- increased noise
- loss of outlook/views
- loss of trees and landscape features
- non-compliance with the policies of the Emerson Park Policy Area
- design of dwelling is out of keeping with existing properties
- increased proximity to the neighbouring properties
- loss of character
- increased congestion
- loss of ecology and opportunity for wildlife preservation
- visually intrusive development
- increased runoff and flooding issues
- not in accordance with NPPF
- increased light pollution
- overdevelopment of the site
- increased road safety issues
- construction noise and increased heavy vehicle movements
- loss of on-street car parking
- the construction of an access leg being detrimental to the street scene
- increased demand for on-street car parking

- loss of safety and security
- cramped appearance
- neighbourliness issues
- inappropriate development
- visually obtrusive and dominant development
- increased potential for future development on the site
- loss of light
- development will be visible above the skyline
- increased height of development
- increased mass and bulk
- loss of spaciousness and openness
- not in keeping with the character of the area

*non-planning matters

- decreased land value

It should be noted that any effects of a development on property values is not considered to be a planning matter.

RELEVANT POLICIES

LDF

- CP01 - Housing Supply
- CP17 - Design
- DC03 - Housing Design and Layout
- DC33 - Car Parking
- DC34 - Walking
- DC61 - Urban Design
- SPD05 - Emerson Park Policy Area SPD
- SPD09 - Residential Design SPD

OTHER

- LONDON PLAN - 3.3 - Increasing housing supply
- LONDON PLAN - 3.5 - Quality and design of housing developments
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. Havering's Mayoral CIL rate is £20 per sqm. The applicable fee is based on an increased internal gross floor area of 98.4sqm which equates to a Mayoral CIL payment of £1,968.00 (98.4sqm x £20).

STAFF COMMENTS

There is substantial previous planning history relating to this application and previous appeal decisions. This application is brought before Committee in view of the background history and the degree of judgement presented by the proposals.

Issues arising from this application are the principle of development, the effect on streetscene, local character and adjoining sites, resultant impact on the Emerson Park Policy Area (EPPA) amenity, parking and highway issues. Assessment of the proposals is made in the light of the previous appeal decisions, which are material planning considerations.

It should be noted that the undertaking of development is acceptable in principle (as established by the previous planning decisions) subject to appropriate design. The demolition of no.14, the construction of an access road and the construction of a dwelling is accepted by virtue of the approval under application reference P0700.14. These factors, as well as the associated traffic generation and vehicle movements, intensification of residential activities on this site and the removal of vegetation have all been previously assessed and considered to be acceptable.

This proposal differs from the previous consent in that the plot size is now smaller (previously it extended to the rear of both nos. 36 and 38 Curtis Road but now no longer extends to the rear of no.36). As a consequence the development plot is smaller and the resultant dwelling has a lesser footprint.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed dwelling will be located behind a number of dwellings along Beverley Gardens and Curtis Road. While there is potential for the dwelling to be more visible from the road as a result of removing the dwelling at No. 14 Beverley Close and the construction of the access leg the location of the building in relation to the access leg will ensure that this will not be visible from the street.

In allowing the previous appeal, the Inspector concluded that an additional dwelling would not be uncharacteristic of the locality, given that permission has already been given (on appeal) for the construction of two houses on adjacent land and there were other developments with backland character in the vicinity. Therefore an additional dwelling is judged to be acceptable in principle.

However, the Inspector also gave consideration to the sense of spaciousness around the dwelling and judged that the width of the plot and the staggered footprint of the dwelling within it contributed to a sense of spaciousness, particularly to the rear of the plot. It was also noted that the front garden area would be generously sized and would add to the open landscaped appearance of the plot. The Inspector noted that the dwelling extended close to the boundaries of the plot but did not consider this to be out of character locally and judged that the modest height would also guard against a sense of enclosure or loss of openness.

In comparison with the appeal decision, the plot now proposed is smaller than previously, although consequently the footprint of the dwelling is also smaller. It could therefore be argued that the reduction in the width and size of the plot and the smaller front garden area compared to the previous approval, leads to a reduced sense of spaciousness that is detrimental to prevailing local character. It is noted that the proposed development also has a lesser stagger compared to the footprint of the previous approved development, which may be judged to contribute further to a reduction in the sense of spaciousness.

Weighed against this is the fact that a landscaped area is still maintained to the front of the plot and that, although the plot is narrower, the landscaped, open character could be considered to be

retained. Furthermore, although the resultant building lies close to the boundaries of the site, this was also the case for the previous development, where the Inspector judged this to be in keeping with local character. The proposed dwelling is still single storey and is, in fact, lower than that previously proposed.

Having regard to these factors it is considered that the development will not be detrimental to the surrounding environment and the objectives of the Emerson Park Policy Area. It is acknowledged however that this is a matter for judgement for Members.

IMPACT ON AMENITY

No. 36 Curtis Road - as viewed from this site the proposal will result in a building located adjoining the end of the rear garden. While this will introduce a large building in the rear garden environment it should be noted that there will be a 45m building separation and the building will be well removed from any area of useable amenity space. As such the effects on this site will be negligible.

No. 38 Curtis Road - the proposed dwelling will be located 11m from the common boundary and have a building separation of 40m. Given the size, bulk and height of the dwelling as well as the relative building separation the development will not have any adverse impacts on the residential amenities of this site.

No. 8 Beverley Close - compared to the previous scheme the proposed dwelling will be located slightly closer to the common boundary and will be the same height to the eaves although with a reduced overall height. With regards to the adverse effects over and above those already permitted by way of consent the adverse effects of this development will be negligible.

No. 10 Beverley Close - the proposal introduces further built development along the common boundary of this site. The previous scheme had the detached car port located immediately adjoining the common boundary with an eaves height of 2.7m and an overall height of 4m. The proposal introduces built development with an eaves of 2.5m and an overall height of 3.6m with a setback of 1.1m. This extends a further 2.7m along the common boundary of the neighbouring site. The use of a flat roof as opposed to a dual-pitched roof diminishes the adverse effects of bulk and height. While there is an increase in built development along the common boundary of this site the reduced height and increased setback of the building would ensure that there will not be any substantial increase in adverse effects over and above that which has been previously authorised.

No. 12 Beverley Close - the proposal reduces the overall height and length of development along this common boundary compared to that which has been previously approved. The building will also be set back further from the boundary. There will not be any additional adverse effects over and above that which has been previously approved.

Overall, it is considered that the development will not have any increase in adverse effects on neighbouring sites (over and above those which have already been consented to).

HIGHWAY / PARKING

The application has been assessed by Havering's Streetcare team who raise no objections to the

proposal. The proposal has provided adequate car parking provisions on the site with on-site turning. The proposed access and car parking provisions are considered to be acceptable. It should be noted that the level of traffic generation will not be dissimilar to the previously approved scheme. Overall it is considered that there will not be any increase in adverse effects on highways (over and above those which have already been granted planning permission).

SECTION 106

The Planning Inspector had considered that an infrastructure contribution was not required in allowing the previous appeal (P0700.14). Since this planning application is not yet extant and is still capable of implementation without payment of the infrastructure contribution, it is considered that there is no justification to require a Section 106 agreement for this planning application.

KEY ISSUES / CONCLUSIONS

The proposal is considered to be appropriate development for the following reasons:

- the development will not have an adverse effect on the street scene
- the development is considered to be generally in keeping with the objectives of the Emerson Park Policy Area
- the proposal is not considered to adversely affect the residential amenities of adjoining sites.

It is recommended that this application be approved.

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. SC05A (Number of parking spaces)

Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 2No. 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.

3. 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.

4. 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.

5. 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.

6. Non Standard Condition 58 - 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 the development.

Reason:-

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

7. 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.

8. 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.

9. 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.

10. SC45A (Removal of permitted development rights)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse hereby permitted, or any detached building erected, without the express permission in writing of the Local Planning Authority.

Reason:-

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

11. 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.

12. 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.

13. 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.

14. 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.

15. SC63 (Construction Methodology) (Pre Commencement)

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies

- and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
 - g) siting and design of temporary buildings;
 - h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

Reason:-

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

16. SC82 (External lighting) (Pre Commencement)

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.

17. SC86 Minor Space Standards

The dwelling 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.

18. SC87 Water Efficiency

The dwelling 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.

19. Non Standard Condition 32

The development shall be carried out in accordance with the details and method statement for works to preserved trees as set out on drawing no. CH-P-106 hereby approved.

Reason:-

To ensure that the preserved trees on site will be adequately protected during construction.

INFORMATIVES

1. 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.

2. Approval and CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £1,968.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. 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 - 18th February 2016

APPLICATION NO. P1705.15
WARD: Upminster **Date Received:** 23rd November 2015
Expiry Date: 19th February 2016

ADDRESS: Corbets Tey School
Harwood Hall Lane
Upminster

PROPOSAL: Proposed two storey flat roof extension to main school building with external canopy structure.

DRAWING NO(S): F558/01
F558/02
F558/03
F558/04
F558/05
F558/06
F558/07
F558/08

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

SITE DESCRIPTION

The application site is Corbets Tey School, which is located on the north side of Harwood Hall Lane, some 65m west of its junction with Corbets Tey Road. The school is situated within the Metropolitan Green Belt and partially within the Corbets Tey Conservation Area, which extends across the northern part of the school grounds. The site of the proposal is situated outside of the Conservation Area.

The site is currently occupied by a cluster of school buildings, predominantly single and two-storey and has been previously extended on a number of occasions. The school has a single storey timber clad swimming pool extension, which is situated to the east of the main school building. There is parking to the school frontage and grassed playing fields to the north of the school buildings. To the east of the main school building is a sensory playground. There are a number of large trees within the school grounds, in particular to the eastern site boundary, some of which are subject of a Tree Preservation Order.

The site is adjoined to the north and west by open Green Belt land. To the east of the site lie residential dwellings, which front on to Harwood Hall Lane or Londons Close.

DESCRIPTION OF PROPOSAL

Corbets Tey School is a school for children and young people who have statements detailing particular personal educational needs. The school caters for pupils aged 4 to 16 with moderate to severe learning challenges, including autism, and a number of medical syndromes.

The proposal is for a 2-storey extension to the main school building. The proposed extension will

provide replacement soft play facilities and office space which would replace the soft play facilities within an existing dilapidated demountable building. The new extension will also provide two new classroom areas and associated stores and WC facilities.

RELEVANT HISTORY

P1444.14 - 2no. external glazed domes.

Apprv with cons 06-03-2015

P1250.13 - Two storey flat roof extension with adjoining single storey flat roof extension and mono pitch glass roof porch to swimming pool building.

Apprv with cons 06-12-2013

P0640.13 - New staff car park with vehicular access off Harwood Hall Lane and 2m mesh fence to perimeter.

Apprv with cons 04-10-2013

P0040.12 - Detached single storey building providing accessible toilets and changing facilities for new sensory play area.

Apprv with cons 27-03-2012

P0261.11 - Detached single storey building to provide disabled toilets and changing facilities for use in conjunction with new sensory play area.

Apprv with cons 08-04-2011

P1505.10 - External sensory play area on existing field including new surfacing and fencing. Plant room extension

Apprv with cons 20-12-2010

P1183.09 - Two storey side extension to existing classroom block, with adjoining single storey stores lobby connection to existing swimming pool building

Apprv with cons 04-12-2009

CONSULTATIONS / REPRESENTATIONS

The application has been advertised on site and in the press as a Green Belt application. Notification letters were sent out on to 66 neighbouring occupiers and no letters of objection were received.

RELEVANT POLICIES

LDF

CP14 - Green Belt

CP17 - Design

DC29 - Educational Premises

DC45 - Appropriate Development in the Green Belt

DC61 - Urban Design

OTHER

LONDON PLAN - 7.16 Green Belt

-

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.5 - Public realm

MAYORAL CIL IMPLICATIONS

There are no Mayoral CIL implications for the proposal.

STAFF COMMENTS

The issues arising from this proposal are its acceptability within the Metropolitan Green Belt, the impact on the character and openness of the Green Belt and the locality in general, the local residential amenity, parking and highway impact and environmental issues.

PRINCIPLE OF DEVELOPMENT

The application relates to additions and alterations to an existing educational use. The application site lies within the Metropolitan Green Belt and therefore Policy DC45 of the LDF and section 9 of the NPPF must be considered; also as the proposal is an extension to school Staff must also consider DC29 of the LDF and NPPF section 8.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

The NPPF advise that extension or alteration of a building is considered appropriate provided that it does not result in disproportionate additions over and above the size of the original building. The school has been extended previously and the proposal is considered to be disproportionate to the original school building and is therefore considered to be inappropriate development.

NPPF provides that where inappropriate development is proposed within the Green Belt planning permission should not be granted unless the applicant can demonstrate very special circumstances exist that outweigh the harm resulting from the development. Such circumstances will only exist where the in principle inappropriateness and any other identified harm are clearly outweighed by material considerations.

Staff have to consider whether very special circumstances exist in this instance which justify the inappropriateness of the development in the Green Belt together with any other harm. This is explored below.

GREEN BELT IMPLICATIONS

Policy DC45 states that development in the Green Belt should be of such a nature as to prevent the development materially affecting the open nature of the Green Belt.

The proposal would occupy a footprint of 143 square metres and provide 286 square metres of internal floor space and so in relation to the total area of open grassland surrounding the school buildings the proposal will have a minimal impact. The building would form an extension of the existing building and would be an infill development by extending onto part of the existing

playground.

Being located to the rear of the site (in terms of the location of existing buildings) its impact on Harwood Hall Lane and Londons Close will be limited as it will be mainly screened by existing school buildings. Additionally the scale of the building will match that of the building it will adjoin so as not to be overly dominant on the site.

Staff consider that the proposal will by its nature as a new building on the site impact upon the openness of the Green Belt, however it would not cause harm to the extent that a refusal of permission could be substantiated.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard it is important that the appearance of any new development is compatible with the character of the local street scene and the surrounding area.

The proposal includes a two storey side extension to the existing northern classroom block. The design and materials proposed would match that of the original host building with a principally flat roof design and facing brickwork. The windows would match those existing to each elevation and would be in scale and character with the original design.

The single storey element of the proposal would project from the rear of the building towards the north of the site, however given its scale it does not appear out of character with the other buildings on site. Overall it is considered that the scale of the extension would be subordinate to the original building and would not appear as an unattractive addition.

IMPACT ON AMENITY

Policy DC61 of the LDF requires new development not to harm the amenities of adjoining occupiers by reason of noise and disturbance, loss of light, overlooking or other impacts.

Given the nature, extent and position of the proposed extensions and related uses, any level of noise and disturbance would be contained within the existing building and seen against the background of existing school activity.

The proposed extensions would not be sited any closer to the adjacent residential properties at Londons Close than the existing school buildings and a significant gap of some 70m would remain.

As mentioned above, there would not be an increase in vehicular parking, as such, noise and disturbance would not increase as a result of the proposals.

Staff are therefore satisfied that the proposed development is sufficiently well enough removed from residential properties and unlikely to result in any material harm. The development is considered to be acceptable and accords with the principles of Policy DC61.

HIGHWAY / PARKING

The reconfiguration and alteration to Corbets Tey School would not result in the loss of any on site

car parking spaces. The proposal would not result in an increase in the number of teaching staff and the parking requirement would not be altered as a result of this proposal. Additionally as a new car park has recently been approved (P0640.13) car parking provision on site is not considered to be an issue.

OTHER ISSUES

Having regard to the above, whilst it is acknowledged that there will be a degree of impact on the existing character of the site, Staff do not consider that material harm to the character and openness of the Green Belt will arise from this proposal. The impact upon the street scene, the amenity of nearby residents and upon parking provision is negligible.

As set out above, in order to justify the proposal, very special circumstances are needed. Corbets Tey is a special needs school. The applicant advises that the proposed extension will replace an existing dilapidated building which is situated on part of the school playground and is currently used as a soft play area. The soft play area will be moved to the ground floor of the new extension. proposed extension.

The removal of the demountable building would enlarge the playground into a more usable open space.

As well as directly replacing the soft play demountable building facilities, the school is also taking the opportunity to provide two new accessible classrooms within the first floor of the new extension which could be accessed by the recently installed platform lift within the existing two storey block meaning that they will be fully accessible to all pupils and staff. One of the new classrooms will directly replace a current inaccessible first floor classroom on the other side of the school which has no lift access.

As part of the works, part of the existing two storey building that currently houses the WC facilities will be demolished and reformed as part of the new extension to provide upgraded and accessible WC facilities on both floors.

Given these circumstances, together with the limited resultant impact upon the openness of the Green Belt, Staff consider that very special circumstances exist in this case to warrant an exception from policy.

KEY ISSUES / CONCLUSIONS

The proposals meet the main aims of both local and national policies and seek to ensure that efficient use is made of educational land in order to provide a varied range of opportunities. The proposals would complement and improve on the existing facilities offered by the school consistent with the aims of planning policies.

In view of the statutory requirements for schools to provide educational space in line with growing needs, it is considered by Staff that this, in conjunction with the limited harm caused by the proposal to the character and openness of the Green Belt, constitutes the very special circumstances needed to justify an exception from Green Belt policy in this instance.

The proposed extensions would be consistent with design Policy DC61, with no detrimental impact

on visual amenity. Having regard to all material planning considerations, it is recommended that planning permission be granted.

RECOMMENDATION

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

1. **SC4 (Time limit) 3yrs**

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

Reason:-

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

2. **SC10 (Matching materials)**

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

Reason:-

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

3. **SC32 (Accordance with plans)**

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

Reason:-

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

4. **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.

5. **Non Standard Condition 1 (Pre Commencement Condition)**

The existing soft play demountable building, as depicted on Drawing No.F558/06 hereby approved, shall be substantially demolished and removed from the application site within one month of the completion of the extensions hereby approved.

Reason:-

In order to ensure that the density and characteristics of the area is maintained, and in order

that the development accords with the Development Control Policies Development Plan Document Policies DC2 and DC61.

INFORMATIVES

1. **Approval - No negotiation required**

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

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REGULATORY SERVICES COMMITTEE

18 February 2016

REPORT

Subject Heading:

P1419.15 Lexington Way Garage Block
Lexington Way, Cranham, Upminster

Demolition of existing garage court,
erection of 10 no. dwelling houses and
2no. flats with associated hard and soft
landscaping and car parking.

(Received 14-10-2015)

Ward

Cranham

Report Author and contact details:

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

Policy context:

Local Development Framework
Development Control Policies
Development Plan Document

National Planning Policy Framework
National Planning Practice Guidance

London Plan

Financial summary:

Not applicable

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

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

SUMMARY

The application is for the redevelopment of a former garage court which includes an area of open space to provide ten new dwellinghouses and two flats. This is a Council scheme with all the housing being affordable for shared-ownership and the flats for affordable rent. The site lies within the urban area where redevelopment for residential use would be acceptable in principle. The development would also help to meet the Borough's needs for affordable housing. The application also includes the provision of additional car parking for existing residents. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The proposal would give rise to a demand for school places and a contribution of £6,000 per dwelling is deemed necessary to make the development acceptable. As this is a major application the provision of at least 50% of the units as affordable units would also need to be secured. The application is made by the Council so these requirements would need to be secured by a unilateral undertaking rather than legal agreement. Subject to the prior completion of such an undertaking it is recommended that planning permission is granted.

RECOMMENDATIONS

1. That the Committee notes that the development proposed may be liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £25,432 subject to indexation. This is based on the creation of 1,271.6m² of new gross internal floor space.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
 - A financial contribution of £72,000 to be paid prior to the commencement of the development, to be used for educational purposes in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.
 - All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of

completion of the Section 106 agreement to the date of receipt by the Council.

- The provision on site of a minimum of 50% of the units as affordable housing with the two social rented units to remain as affordable in perpetuity.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the planning obligation prior to its completion irrespective of whether the obligation is completed.
- The payment of the appropriate planning obligations monitoring fee prior to the completion of the obligation.

That the Head of Regulatory Services be authorised to grant planning permission upon the completion of the unilateral undertaking 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), except where otherwise required by other conditions.

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

3. *Car parking* - No dwelling unit shall be occupied until the car/vehicle parking areas shown on drawing 84463/ 110 Rev C for the 12 new dwellings hereby approved have been completed, and thereafter, the areas shall be kept free of obstruction and permanently made available for the parking of vehicles associated with the development and shall not be used for any other purpose.

Reason: To ensure that there are adequate parking facilities to serve the development in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. *Materials* - The development hereby permitted shall not be commenced until samples of all materials to be used in the external construction of the buildings

has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

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

5. *Landscaping* - No development shall take place in relation to the residential development hereby permitted until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping for those parts of the application site, 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* – Notwithstanding the details shown on drawings 84463/110 Rev C and 84463/204, prior to the first occupation of the development hereby permitted provision shall be made for the storage of refuse and recycling awaiting collection in accordance with revised details which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: The details submitted shown refuse stores in prominent locations to the front of the new dwellings and it is considered that these should be relocated. Submission of details prior to occupation will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. *Cycle storage* - Prior to first occupation 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: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development

accords with the LDF Development Control Policies Development Plan Document Policy DC36.

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

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

9. *Secured by Design* - The development hereby permitted shall not be commenced until details of the measures to be incorporated into the external areas of the development demonstrating how the principles and practices of the Secured by Design scheme within the development site have been included have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

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

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

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

11. *Vehicle Cleansing* – 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 within the site 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 washed off the vehicles.
- 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 vehicle washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

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

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

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

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

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

13. *Pedestrian Visibility Splay* - The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of each of the proposed access points or crossovers to the dwellings, 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. *Renewable energy* – A renewable energy system for the development shall be installed in accordance with details previously submitted to and agreed in writing by the Local Planning Authority and shall be made operational prior to the residential occupation of the development. Thereafter, it shall be permanently retained.

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

15. *Removal of permitted development rights* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Article 3, Schedule 2, Part 1 (or any order revoking and re-enacting that Order with or without modification), no development shall take place under Classes A, B, C or E, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

16. *Vehicle access* – All necessary agreements, notices or licences to enable the proposed alterations to the Public Highway as part of the required by the development shall be entered into prior to the commencement of development.

Reason: The submission of details prior to commencement will protect highway safety and ensure that all legislative provisions are followed to ensure good design and public safety in accordance with policies CP10, CP17, and DC61 of the Core Strategy and Development Control Policies DPD.

17. *Accessibility* - The ten new dwellings hereby approved to be constructed on the former garage block part of the site 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.

18. *External lighting* - The development hereby permitted shall not be commenced until a scheme for the lighting of external areas of the development, including any access roads, has been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of that phase of the development and retained thereafter.

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

19. *Access restriction* – Notwithstanding the details shown on drawing 84463/110 Rev C none of the ten dwellings to be constructed on the former garage block part of the site shall be occupied until an access restriction to prevent motor vehicles, including motorcycles, from travelling east/west along the northern and southern perimeter roadways has been erected in accordance with details, including location, that have previously been submitted to and agreed in writing by the local planning authority.

Reason: Insufficient information has been supplied with the application to assess whether the proposed restriction is of the right form and location so as to prevent unauthorised access through the site, whilst at the same time maintaining access to existing garages. A restriction is required to protect the amenities of both existing and future residents in accordance with the Development Control Policies Development Plan Document Policy DC61.

20. *No additional flank windows* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window or

other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

21. *Obscure glazing* - The proposed window on the northern flank elevation of the first floor flat shown on drawing 84463/201 Rev A 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.

22. *Car parking area* - Notwithstanding the details shown on drawing 84463/110 Rev C, the development hereby permitted shall not be commenced until a revised scheme for the proposed parking area on the Lexington Way frontage of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include hard and soft landscaping details for the area and the locations of the proposed access points from the public highway. The scheme shall include indications of all existing trees and shrubs on the site, and details of those 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 layout of the proposed parking area including the hard and soft landscaping proposed. The land along the highway frontage, including landscape planting forms part of the public highway and the removal of any parts of this will require the prior agreement of the highway authority before any works are commenced. 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.

Informatives

1. Statement Required by 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. *Secured by Design* - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
3. *Changes to the public highway* - The granting of planning permission 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 a new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. 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 relevant approval process. Unauthorised work on the highway is an offence.
4. *Highway legislation* - The granting of planning permission does not discharge the requirements of the New Roads and Street Works Act 1991 or 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.
5. *Temporary use of the highway* - If any construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.

REPORT DETAIL

1. Site Description

- 1.1 The application site is made up of two distinct areas of land. The main area comprises a rectangular plot that lies behind the main residential frontages of

Lexington Way and Roseberry Gardens. The second area comprises a surfaced landscaped area along Lexington Way between the residential frontage and the highway. The central rectangular plot comprises garages and an open grassed area, accessed from both Lexington Way and Roseberry Gardens. There is surfaced road around the edge of this plot that provides access to private garages to the rear of the frontage dwellings.

- 1.2 The frontage land comprises two separate surfaced landscaped areas divided by one of the garage accesses. The Lexington Way frontage, which is part of the public highway, comprises a landscaped strip with hedging and a number of mature trees. There is landscape planting within both of the surfaced areas. The larger section lies in front of dwellings in Lexington Way. The smaller section wraps around the junction of Lexington Way and Roseberry Gardens.
- 1.3 The area is residential in character comprising mainly two-storey units, including maisonettes, but with some three-storey flats to the south. There is a large informal grassed recreational area with playground on the south side of Lexington Way.
- 1.4 The total site area is site area is 0.57 hectares, including access routes and landscaping areas. The larger of the two landscaped areas amounts to 0.16 hectares.

2. Description of Proposal

- 2.1 This is a full application for the redevelopment of the site following the demolition of the existing garage buildings. The development proposed is for 12 new dwellings comprising two terraces of two storey dwellings; one of six units and the other of four and a separate building containing two 2-bed flats. The six unit terrace would comprise 5 person three-bed units and the four unit terrace one three-bed 5 person and three two-bed 4 person units. All the terraced houses would be intermediate affordable for shared ownership.
- 2.2 The terraces would be located within the central plot on the site of the former garages and grassed area. The existing access around the perimeter of this area would be retained. The flats would be located on the corner of Lexington Way and Roseberry Gardens on the smaller of the two landscaped areas. The flats would be for social rent.
- 2.3 The new dwellings would be constructed in brick under a pitched tiled roof. All would meet the nationally described internal space standards and would have individual amenity areas, including a balcony for the first floor flat. Each unit would have two car parking spaces with additional visitor spaces.
- 2.4 The main access to the central area development would be from Lexington Way via the existing access. This would be widened closest to the highway, to provide a double vehicle width. At the north end the access would remain single vehicle width. The northern access would be retained to allow access to the existing garages in the rear of properties in Roseberry Gardens. Both access routes would be resurfaced. A barrier would be provided along the perimeter

access road so that occupiers of the new dwellings would need to use the upgraded Lexington Way access. This would also prevent other vehicles and motorcycles from travelling through the site. However, pedestrian access would be available. Turning areas would be provided for service vehicles.

- 2.5 The larger of the two surfaced area on the Lexington Way frontage would be resurfaced and landscaped to provide additional car parking for existing residents. The car parking area would be accessed via a series of cross-overs. The undeveloped part of the smaller surfaced area would be fully landscaped.

3. Relevant History

- 3.1 P1596.14 - Demolition of existing garages to provide 10no. dwellinghouses and 2no.flats with associated car parking and landscaping (outline) - withdrawn

4. Consultations and Representations

- 4.1 The application has been advertised through site and newspaper notices and neighbour notification letters. Nine letters of representation have been received raising the following issues:

- Insufficient car parking;
- Lack of school places in the area;
- Concerns about surface water run-off;
- Concerns about loss of trees;
- Noise and disturbance in rear garden area;
- Widening of access road would not be sufficient and increase use of access would give rise to additional dust and fumes. This would have detrimental impact on enjoyment of rear garden;
- Negative impact on house values;
- Concerns about loss of or restricted access to existing garages and parking in front of existing properties in Lexington Way;
- Access to site to private garages during construction will have adverse impacts given limited availability of parking to front;
- Security concerns given increased activity to the rear of existing gardens;
- CCTV required to monitor communal areas;
- Impact on local services, including doctor's surgeries and schools;
- Increased noise and disturbance to front and rear of properties;
- Loss of communal amenity space.

- 4.2 Streetcare (Highways): no objections subject to conditions regarding pedestrian visibility splays, the applicant entering into the necessary agreements for works to the public highway and vehicle cleansing during construction.

- 4.3 Streetcare (Sustainable drainage) – no objections

- 4.4 London Fire Brigade (Water) - happy for the development to go ahead.

- 4.5 Public Protection (Environmental Health) requests a noise insulation condition. There are no objections on contamination and air quality grounds.
- 4.6 Energy Strategy Team – recommends that energy performance and micro-generation certificates are provided upon completion of the development
- 4.7 Metropolitan Police Designing out Crime Officer has no objections subject to conditions covering boundary treatment, lighting, cycle storage and landscaping. There should be a landscaped area adjacent to units 9 and 12 to provide an area of defensible space or windows fitted at high level.
- 4.8 The main issues raised in representations are addressed within the body of the report in paragraphs 6.12 to 6.20. One of the main concerns about access to existing garages in rear gardens but this is being maintained through the retention of the perimeter roadway. The scheme would provide significant additional frontage parking and each dwelling would have parking spaces in accordance with LDF Policy DC2.
- 4.9 The comments made by the Designing out Crime Officer can be addressed through the proposed landscaping and boundary treatment conditions.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply); CP2 (Sustainable Communities); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 (Environmental management); CP17 (Design); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC29 (Educational Premises); DC32 (The Road Network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC48 (Flood Risk); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water Supply, Drainage and Quality); DC52 (Air Quality); DC53 (Contaminated Land); DC55 (Noise); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC72 (Planning obligations) of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD).
- 5.2 In addition the Planning Obligations SPD (Technical Report 1 – Assessment of Infrastructure Costs), Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD and Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local

character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) of the London Plan.

- 5.4 The provisions of the National Planning Policy Framework; the National Planning Policy Guidance and the Technical housing standards (nationally described space standard) are also material considerations.

6. Staff comments

Principle of the development

- 6.1 The site comprises mainly open areas, with the only built development being a row of garages along the eastern part of the central plot. The site lies within the urban area and is not allocated for any purpose in the LDF.
- 6.2 Policy CP1 prioritises the redevelopment of brownfield and non-designated sites for housing to help meet housing need. The policy also requires that such sites are used efficiently. On this basis Staff consider that the proposed redevelopment for affordable housing would be acceptable in principle. The main considerations are layout, design, impact on existing occupiers and on the character and appearance of the area.

Density and Layout

- 6.3 The site has a PTAL value of 2 and in accordance with Policy DC2 the site is classified as 'rest of borough'; outside of a defined PTAL area. A density range of 30-50 dwellings per hectare is indicated as appropriate. The application site has an area of 0.57 hectare, which includes a large surfaced landscaped area of 0.16 hectares which it is proposed to be used as a general parking area. If this is excluded from the calculation the proposed density would be about 30 units per hectare which is within the range specified in Policy DC2. A density at the lower end of the range is considered acceptable given the site's location to the rear of existing housing and the applicant's desire to retain access to rear garages.
- 6.4 However, density is only one measure of acceptability and there are other relevant considerations. These include the need to make efficient use of the site taking account of site constraints and the site layout and its impact on the character and appearance of the area. It is also necessary to provide an acceptable level of accommodation for future occupiers.
- 6.5 In this regard all of the proposed dwellings would meet the minimum size standards set out in the Technical housing standards (nationally described space standard) and provide private and usable amenity space in accordance with the Residential Design SPD. Whilst the layout of the amenity areas would be compact there would be no significant overlooking issues. Each dwelling would have two off-street parking spaces and there would be additional parking for visitors.

- 6.6 Part of the proposal includes the provision of additional general parking for residents in the area. The area concerned is generally vacant and underused, but is not suitable for new housing development given its narrow shape and close proximity to existing dwellings.

Design and visual impact

- 6.7 The location of most of the development on land which is set behind the main developed highway frontages means that the impact on the streetscene generally would not be significant. The two terraces would not be readily visible from any public areas, except from the junction of Lexington Way and Roseberry Gardens between existing buildings. However, this view is currently dominated by a large pylon and associated cables. The introduction of new buildings within this space, set back from the highway would not materially affect the overall character of the area.
- 6.8 The two flats would be located in a much more prominent location on the junction of the two roads and readily visible from the highway. The area around the junction is generally open with a grassed area on the eastern side. The proposed new building would be set forward of the existing building frontages of the nearest properties in Lexington Way, but behind those in Roseberry Gardens. It would partly fill the space between the ends of the dwellings. This part of the development utilises an area of mainly vacant land that does not currently contribute positively to the character and appearance of the area, although there is one mature tree on this part of the site which would be lost.
- 6.9 It will be a matter of judgement for Members as to whether this part of the development would have an acceptable impact on the area. The scale of the flatted development would be compatible with the nearest dwellings which are maisonettes, and the remainder of the corner plot would be landscaped in a more appropriate fashion. Staff consider that, as a matter of judgement it would be acceptable, notwithstanding its forward positioning in relation to other properties in Lexington Way. It would help provide additional affordable housing on an underutilised plot, whilst still retaining an element of openness on this corner location. In view of the separation from the dwellings in Lexington Way provided by the new widened access and the development of a new landscaped parking area, it would not appear as an incongruous element in the streetscene.
- 6.10 Materials proposed are principally to be buff and red multi coloured facing bricks under a pitched grey pantile tiled roof. Some of the brickwork would have protruding elements to produce a textured finish. The appearance of the buildings would respect the varied residential character of the area which has a mix of styles and building materials. Staff consider that the development would have an acceptable visual impact in its own right and when viewed alongside adjoining properties and public areas. The design would have a positive impact on the character and appearance of the area. Details of materials are given in the application but it is considered that the submission of samples for approval should be required by condition.

- 6.11 The proposed layout includes a number of refuse stores which are located to the front of a number of the dwellings units. Staff consider that there is scope to relocate some of these to more discreet locations where they would not be so visibly dominant. Accordingly a condition is recommended that further details are submitted and agreed prior to first occupation. The locations as proposed would detract from the overall character of the development.

Impact on amenity

- 6.12 Whilst the site lies within a residential area only the flatted element would share a boundary with any residential property. The two terraces would be separated from the rear boundaries of existing properties by the internal access road. The separation between the front of the terraces and the rear of the nearest dwellings and their gardens areas means that there would not be any significant impact on the amenities of existing residents. The fronts of the proposed terraces are about 30 metres away from the rear of the nearest dwelling with a separation of about 12 metres from the rear boundaries. Many of these properties have rear garages and outbuildings that would also help to minimise any impact. Concerns have been raised that the development would give rise to additional noise and disturbance for additional residents. However, in view of the separation from existing rear boundaries and the former use of the site, Staff consider that any impact would not be significant. In terms of the frontage parking this would not have any significant impact over that associated with normal on-street parking and this needs to be set against the benefits for residents of additional off-street parking.
- 6.13 The new flatted building, however, does include a first floor window in the northern elevation and there would be the potential for some overlooking of the rear garden of no. 82 Roseberry Gardens. However, this is not the main window to the room involved and the potential impact could be addressed through an obscure glazing condition. Overall Staff consider that there would be no material adverse impact on the amenities of nearby residents and the proposals would comply with LDF Policy DC61.
- 6.14 Some residents have raised concerns that the development would impact on the current access to their rear boundaries, where there are a number of garages. The applicant has advised that while there are few formal licences that allow access it was decided that the existing perimeter roadway should be retained. This means that residents would continue to be able to access their garages/outbuildings even if there is no formal agreement to do so. Concern has also been raised about the loss of the open space which has been used as an informal amenity area. However, whilst managed by the Council the land is not designated as public open space and forms part of the garage area.
- 6.15 Within the development the relationship between residential units is generally acceptable. There are some tight relationships, where the flank wall of proposed dwellings abuts the rear boundary of other dwelling plots. Parts of the amenity area of some of the dwellings, in particular unit 3, would be subject to some overlooking. This arises as the terraces are perpendicular to each other, otherwise this would not be an unusual relationship within a residential

area. In view of these factors staff consider, as a matter of judgement, that the proposed dwellings would still enjoy a reasonable level of amenity, such that the proposals do not give rise to materially unacceptable living conditions such as amount to a material objection to the proposal.

Parking and highways Issues

- 6.16 The proposal provides a total of 22 parking spaces for the new dwellings, plus an additional six visitor spaces which equates to 1.8 spaces per dwelling. This meets the LDF parking requirements of 2-1.5 spaces per dwelling and would also fall within the maximum standards set out in Table 6.2 and Policy 6.13 of the London Plan. There are no specific proposals for secure cycle parking, however, there is space for this within the development and details could be secured by condition. Overall the vehicle and cycle parking is considered acceptable and in accordance with the relevant development plan policies.
- 6.17 The existing access from Lexington Way would be the sole vehicular access to the development this would be widened for the first 30 metres to provide for two-way flows. The remaining 18 metres would be single vehicle width as at present. These revisions are acceptable to the highway authority (Streetcare) and are considered adequate for service vehicles.
- 6.18 The access from Roseberry Gardens would be retained solely for access to existing garages in the rear gardens of properties in that road. A barrier/gate would be provided within the east-west perimeter road to prevent it being used as an alternative vehicular access to the new development. A similar barrier is required at the western end of the southern perimeter road.
- 6.19 The larger of the open landscaped areas forms part of the overall landscaped setting of the housing development in this part of Cranham. However, apart from providing a setting for some of the dwellings in Lexington Way it has little function and is an underused space. The landscaping along the highway frontage is reasonably mature and most would be retained. This lies within the highway boundary. The remainder is surfaced but includes little landscaping and that which exists contributes little to the overall character of the area. The retention of most of the mature vegetation would help to maintain the outlook from the existing properties.
- 6.20 The use of the space for car parking would help to address the local shortage identified by objectors. It could also provide an alternative for some residents to the rear access that would otherwise continue through the development site. The access points to the car parking area would need to be agreed with Streetcare, but subject to this the area could provide up to 30 spaces in a landscaped parking area. There are no objections to this general arrangement from the highway authority (Streetcare) or to the access to the main part of the development.

Affordable Housing

- 6.21 The proposal results in development for which an affordable housing provision is required in accordance with the National Planning Policy Framework and the

London Plan. LDF Policies CP2 and DC6 set out the aim to achieve 50% across the borough. This would be made up in part by 100% affordable schemes and through seeking 50% provision on proposals for 10 or more dwellings, subject to viability. This proposal is for all units to be affordable which would help to achieve this objective.

- 6.22 The application is being made by the Council's Housing Service and all of the units would initially be affordable units, the dwelling houses for shared ownership and the flats for social rent. However, the ten dwellings would be intermediate housing (shared ownership) and there is the prospect for equity share, which would initially be a minimum of 40%, to increase to 100% over time, such that the property would no longer be affordable. This is termed 'staircasing' and the period over which this could occur would vary from property to property. The Housing Service advises that it normally assumes that this would be between 5 and 35 years. Policy DC6 requires that the housing should remain affordable in perpetuity. In the case of the two social rented units these would be retained by the Council so would continue to be affordable, however, the ten units are likely to eventually become private housing. Accordingly, the terms of DC6 would not be met.
- 6.23 The Council's Housing Strategy includes the provision of intermediate housing to allow low income residents to get on the 'property ladder'. This accepts that the properties are likely to eventually become totally privately owned. In these circumstances when assessing the proposals against LDF affordable housing policies it is necessary to make a judgement on this issue. Staff consider that, on balance, the proposal would be acceptable in terms of these policies. All of the twelve units would initially be affordable and could well remain so for a number of years. Two of the units (17%) would meet the terms of the policy and the remainder would be affordable for an unspecified period. Staff have been advised that a significant proportion of any capital receipt would be recycled into further affordable housing schemes. This would be in accordance with the wider Council objectives for affordable housing. Securing affordable housing on these terms would need to be secured through a S106 Planning Obligation.
- 6.24 Taking all these matters into account Staff consider that the proposal would, make an important contribution to achieving the overall target set out in Policy DC6 and would meet the Council's wider housing objectives. Consequently Staff consider that, on balance, the proposal would meet the overall objectives of LDF Policies CP2 and DC6 and Policy 3.11 of the London Plan.

Infrastructure impact of the development

- 6.25 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.

- 6.26 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.
- 6.27 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.
- 6.28 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.
- 6.29 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.
- 6.30 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.
- 6.31 It would, therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6000 per dwelling for educational purposes would be appropriate.

6.32 The proposed new dwellings would result in an additional local infrastructure demand such that a financial contribution is needed in accordance with policy DC72. There would be a net addition of 6 units and a charge of £72,000 is considered necessary to make the development acceptable in accordance with the policy. However, as the Council is both land owner and applicant this would need to be secured by way of a unilateral undertaking rather than a planning agreement.

Other Issues

6.33 The application site includes a number of trees, mainly along the Lexington Way frontage which form part of an area that it is proposed to use for additional resident's car parking. An arboricultural assessment has been undertaken which considers the condition of the trees within this area, there being no trees within the main development site. The trees adjacent to Lexington Way are within the highway and can only be removed with the permission of the highway authority (Streetcare). These trees make a positive contribution to the streetscene and should be retained wherever possible. A condition is proposed that would require the submission of a detailed layout which would need to be negotiated with Streetcare. This would include substantial new landscaping between the parking areas.

6.34 The ground conditions of the site have been investigated and the submitted report concludes that the ground conditions pose no risk to future occupiers and that remediation is not required.

6.35 Given the scale of the development there is a requirement for the need for a sustainable drainage system (SuDS) to be assessed. However, the increase in surface run-off is not considered to be significant and no specific site drainage scheme is proposed. The submitted details are considered acceptable.

7. Mayor's Community Infrastructure Levy

7.1 The proposed development may be liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. However, affordable housing may qualify for relief if the proposals meet certain exemption criteria. These would be assessed post planning decision prior to the commencement of the development.

7.2 The applicable fee is charged at £20 per square metre based on an internal gross floor area of 1,271.6 square metres less the area of existing buildings in lawful use for at least 6 months in the last three years. As this has not been the case none of the existing floorspace can be deducted. However, there are exemptions for affordable housing which needs to be sought prior to commencement of development. In this case the maximum CIL contribution would be of £25,432 subject to indexation.

8 Conclusions

- 8.1 The proposed residential development on the site is considered acceptable in principle. The design, scale and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide an acceptable quality living environment for future occupants. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping and sustainability. The proposal is considered to be acceptable in respect of parking and highways issues.
- 8.2 The proposal is for 12 affordable units (shared ownership and social rent) which would help to meet the Borough wide target of 50% of all new dwellings. This provision is considered acceptable in terms of the aims of LDF and London Plan policies. The delivery of affordable housing as set out in the application details would need to be addressed through a S106 obligation.
- 8.3 There would also need to be a contribution to meet education costs associated with the development in accordance with LDF Policy DC72 and the Technical Appendices to the Planning Obligations SPD and Policy 8.2 of the London Plan. The contribution would again be secured through a S106 obligation (unilateral undertaking).
- 8.4 The proposal is, therefore judged to be acceptable, subject to the conditions set out in this report and the prior completion of a S106 Planning Obligation, and it is recommended that planning permission is granted accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: The planning merits of the application are considered separately to the Council's interests as landowner and applicant

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity. The residential development is exclusively for affordable housing, thus contributing to the provision of mixed and balanced communities and the Borough's housing needs.

BACKGROUND PAPERS

1. Planning application form and plans received 14-10-2015

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REGULATORY SERVICES COMMITTEE

18 February 2016

REPORT

Subject Heading:

Ward

P1274.15 – Block 8, Former Oldchurch Hospital, Union Road, Romford - Application for full planning permission for the demolition of the existing former residential institution building (Use Class C2) and erection of a non-residential institution (Use Class D1) for use as a 630 place primary school for pupils aged 4-11 years, incorporating building and erection of a four storey academic building including sports hall, outdoor play space, car/cycle parking areas and landscaping. (Revised site plan received 29/1/16)

Report Author and contact details:

Brooklands
Martin Knowles
Planning Control Team Leader
martin.knowles@havering.gov.uk
01708 432802

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The proposal is for the demolition of the existing building and the construction of a new primary school for 630 pupils aged 4-11. The existing building is the original Nurses and Doctors accommodation for the former Oldchurch Hospital and is identified as a Locally Listed Building and is therefore a heritage asset.

The report considers the principle of the proposed demolition including the heritage impact and educational need. Other key issues arising are the impact of the development in terms of design and layout, highways matters including parking, the impact upon residential amenity and environmental implications.

This application was previously considered by Committee on 17 December 2015 where it was deferred to enable staff to seek amendments to increase the amount of on-site parking for staff, to introduce a drop off facility on Union Road and to clarify the arrangements for sports for future pupils. The report is now brought back to Members, updated to reflect the outcome of these negotiations with the applicant.

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

RECOMMENDATIONS

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

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

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

- To adopt, implement measures within and keep under review a School Travel Plan for the lifetime of the development.
- Each year during Spring Term for a period of six years following first occupation of the development, the owner/operator to appoint a transport consultant (to be approved by the Council) to undertake an independent survey to assess the degree to which parents arrive at the site at the start and end of the school day by car and park/stop on Union Road or other nearby adjacent roads and if necessary to recommend actions to prevent parents driving to the site.
- The owner/occupier to submit, before the end of the spring term, a copy of the consultants report and recommendations and their response including measures to be implemented. The owner/occupier to use best endeavours to implement the reasonable recommendations of the transport consultant during the summer term following the completion of the report.
- If the year 5 spring term survey report still identifies parking by parents, the owner/occupier to submit to the Council for approval a revised Travel Plan including specific measures and targets to reduce driving to the site and the measures included to be implemented.
- The Developer/Owner shall pay the Council's reasonable legal costs in association with the preparation of the legal agreement, prior to the completion of the agreement, irrespective of whether the legal agreement is completed.
- The Developer/Owner shall pay the appropriate planning obligations monitoring fee prior to completion of the agreement.

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

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

Mayoral CIL

That the Committee notes that as a planning application for a new school the development proposed would not be liable for the Mayor's Community Infrastructure Levy (CIL).

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

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

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

2. *Accordance with plans:* The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans listed on page 1 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. *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 be based on the details included in the approved plans and submitted design and access statement. 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.

4. *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), to be in general compliance with the details included in drawing number 10012-04-P110 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.

5. *Community Use of Facilities:* The development hereby approved shall not be occupied until full details of the community use of the school facilities has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include access policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon provision of the pitches in accordance with this approval.

Reason: In order to ensure that the facility provides benefit to the wider community.

6. *Cycle Provision:* The development hereby approved shall not be occupied until a minimum of 84 cycle parking spaces are provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such cycle parking shall thereafter be retained.

Reason: To ensure the development takes account on the needs of cyclists, in accordance with Policy DC33 of the LDF and Policy 6.9 of the London Plan.

7. *Parking:* No building shall be occupied or use commenced until the car/vehicle parking area shown on the approved plans has been provided, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason: To ensure that there are parking facilities to serve the development in the interests of highway safety.

8. *Layby Provision:* No building shall be occupied or use commenced until the vehicular layby/drop off facility shown on the approved plans has been provided.

Reason: To ensure that a facility is available for the safe dropping off and picking up of pupils attending the school.

9. *Electric Vehicle Charging Points:* No building shall be occupied or use commenced until provision has been made for 20% of the parking spaces within the development to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

Reason: Insufficient information has been supplied with the application to demonstrate what level of provision is to be made for electric vehicle charging points. Provision prior to occupation will ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with policy 6.13 of the London Plan.

10. *Boundary Treatment:* The development hereby approved shall not commence until details of the boundary treatment, to include brick/railings and retained archway to rear and side boundaries, are submitted to and approved in writing by the local planning authority. The development site shall not be occupied until boundary treatment has been provided in accordance with the approved details.

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, ensure adequate security and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. *External Lighting:* The development hereby approved shall not be occupied until details of external lighting are submitted to and approved in writing by the Local Planning Authority. External lighting shall be provided in accordance with the approved details.

Reason: Insufficient information has been submitted with the application to judge the impact of external lighting. Submission of this detail prior to occupation will protect residential and visual amenity and biodiversity and ensure adequate security.

12. *Plant & Machinery:* Prior to the occupation of the development hereby approved, details shall be submitted of all external plant and machinery to be installed, including details of external appearance and noise information demonstrating that noise levels (expressed as the equivalent continuous sound level LAeq (1 hour)) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB. All external plant and machinery shall be installed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and in order to minimise noise disturbance.

13. *Extraction Equipment:* No cooking of food shall take place, unless extract ventilation equipment is installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise smell nuisance, in the interest of users of the site and nearby residential amenity.

14. *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.

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

The submission will provide;

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

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

16. *Pedestrian Visibility Splay:* A 2.1m by 2.1m pedestrian visibility splay should be provided on either side of the proposed access from Union

Road, 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.

17. *Vehicular 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 public safety and to ensure that the development accords with Development Control Policies Development Plan Document Policy CP10, CP17 and DC61.

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

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

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

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

19. *Secure by Design*: Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

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

20. *SUDs*: Sustainable Urban Drainage System (SUDs) shall be provided and thereafter maintained in accordance with details submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: Insufficient information has been supplied with the application to judge whether the proposed SUDs would be satisfactory. Submission of this detail prior to new building works will ensure that the development accords with the policy to ensure adequate provision for attenuating surface water in accordance with NPPF.

21. *Contamination Assessment (1)*: 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:

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

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. 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.

c) Following completion of measures identified in the approved remediation scheme mentioned in (a) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of the above assessments prior to commencement will ensure the safety of 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.

22. *Contamination Assessment (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.

23. *Landfill Gas Investigation:* No works shall take place in relation to any of the development hereby approved (except works required to secure compliance with this condition) until:

a) A Site Investigation has been undertaken to assess the level and extent of any landfill gas present, together with an assessment of associated risks. The investigation shall be in accordance with a scheme which shall previously have been submitted and approved in writing by the Local Planning Authority.

b) If during development works, any contamination should be encountered which was not previously identified in the Site Investigation then works

should halt immediately and the Local Planning Authority consulted to agree appropriate further action.

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.

24. *Biodiversity Enhancement:* Within three months of the commencement of development a scheme for the biodiversity enhancement measures to be incorporated into development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed scheme and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of biodiversity measures. Submission of a scheme for the development will ensure that opportunities for biodiversity enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59.

25. *Piling:* Piling or any other foundations using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: To ensure protection of groundwater.

26. *Salvage and Re-use:* The existing entrance archway shall be retained and re-used to provide an entrance to the site from the adjacent park.

Reason: To ensure a satisfactory external appearance and recognising the historic value of the existing building.

27. *Sustainability and Energy:* A scheme for the installation and incorporation of sustainability and energy efficiency measures in line with the details outlined in the Energy and Sustainability Assessment submitted as part of the application together with additional measures as detailed in e-mail dated 4/12/15 from GLA officer Martin Jones shall be submitted to and approved in writing prior to the commencement of development. Within 3 months of the completion of the development hereby approved, final copies of the Energy Performance Certificate (EPC) and Microgeneration Certification Scheme (MCS) should be submitted to the Local Planning Authority.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

28. *Provision of Lifts:* Lifts provided within the building hereby approved shall be full passenger lifts. Platform lifts would not be acceptable.

Reason: To ensure inclusive design.

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. 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.
3. (Secured by Design) - In aiming to satisfy condition 17 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
5. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.

6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
7. Thames Water Advice - With regard 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 groundwater. 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 0800 009 3921.

REPORT DETAIL

1. **Background**

- 1.1 This application was previously considered by Committee on 17 December 2015 where it was deferred to enable staff to seek to negotiate the following:
 - An increase in the amount of on-site parking for teaching staff
 - The introduction of a drop off facility for parents on Union Road;
 - To clarify the arrangements for pupils taking part in sport and exercise;
 - As appropriate, to clarify DFE and any other design constraints informing the options and chosen solution.
- 1.2 The report is brought back to Committee as various amendments have now been incorporated into the scheme as follows;
 - On site parking has been increased from 8 spaces to 13 spaces and the configuration altered so that they are all positioned perpendicular to the eastern boundary.
 - A 42m layby has been provided on the southern side of Union Road, backed by pavement of a minimum 2m width.
 - Clarification has been provided of how a balanced PE curriculum will be delivered.
- 1.3 The revised scheme has been the subject of further consultation with neighbours. As a result one further objection had been received at the time

of writing this report raising concerns about the inadequacy of parking in general in the area which this proposals would add to.

- 1.4 The Council's Highways Engineer is satisfied with the parking arrangements for staff. Furthermore, the provision of a drop off facility for pupils means that the development is no longer contrary to Policy DC33. The provision of the drop off facility has been achieved, in part by shifting the building 1m to the south, this being the maximum that could be achieved whilst still maintaining emergency access to the south of the eastern wing. The length of the drop off facility is the maximum that can be achieved on the frontage of the site whilst maintaining a 2m footway to its rear. The layby will accommodate 6 vehicles at any one time and in this respect there remain some concerns that parents may park on street unlawfully at school pick up times. There are also concerns that parents will perform 3 point turn manoeuvres in Union Road to egress to Waterloo Road. However, these would be matters to be addressed by parking enforcement and by the ongoing operation of the Travel Plan, the need for which remains and which the applicants are committed to.
- 1.5 The PE curriculum for the school in the first year, when the intake would only be Reception, will delivered using the school hall and external hard play space. In future years as the school grows, local facilities would be used to deliver the curriculum including Romford and Gidea Park RFC in Crow Lane, Cottons Park. It is also intended to foster relationships with West Ham FC to make use of their Training Academy in Rush Green and to utilise the new leisure centre under construction in Western Road as and when this becomes available. A minibus would be used if the facilities were not within a short walking distance.
- 1.6 The DFE are satisfied that the design of the school is both workable and appropriate for the site and having put a lot of time, effort and money into developing the scheme are reluctant to move away from it.
- 1.7 Below is the report that was presented to Members at the 17 December meeting. In view of the above additional information and clarification it is recommended that planning permission be granted subject to no contrary direction by the Mayor and the prior signing of a Section 106 legal agreement.

2. **Site Description**

- 2.1 The site of the former Oldchurch Hospital is located at the junction of Oldchurch Road and Waterloo Road and is bounded by Oldchurch Road to the south, Waterloo Road to the east, the main Liverpool Street railway line to the north and Nursery Walk and Romford gas holder station to the west. The whole site is roughly rectangular and has a total area of 7.76 hectares.
- 2.2 The application site has an area of some 0.3 hectares and is located on the southern side of Union Road, north of the new local park (Jubilee Park) west of the predominantly six storey development that is nearing

completion by Taylor Wimpey pursuant to planning permission P1638.09 and east of the three to six storey development that is currently being developed by Swan Housing (now NU Living) pursuant to Planning Permission P1417.11. The site is currently occupied by the original 3 storey main entrance building to the former Nurses and Doctors home, from hereafter referred to as Block 8. The building is identified as a locally listed building.

3. Background Information

3.1 In December 2005 outline planning permission was granted for residential development on the Oldchurch Hospital site (application reference P1635.04). The application comprised three key elements – general market housing, key worker housing and public open space. The S106 legal agreement that accompanied the approval identified the nurses and doctors home as a retained building which was not to be demolished unless a specific permission requiring it had been granted.

3.2 Detailed designs for the key worker housing were submitted as part of the outline application and were subsequently constructed along the northern edge of the former hospital site. In respect of the market housing only, access was considered at outline stage, with matters relating to siting, design, external appearance of the buildings and landscaping reserved for later consideration. The outline application adopted a master plan approach to the overall site and the resulting reserved matters applications had to comply with parameters that had been established at Outline stage. The reference to the former nurses and doctors home as Block 8 stems from this permission which allocated block numbers to all retained buildings and the new blocks identified in the master plan.

3.3 The original reserved matters approval for implementation of the new build housing proved to be financially unviable following the slump in property prices and land values. A further reserved matters application P1638.09 was subsequently approved and is currently nearing completion at the eastern end of the site. Reserved matters approval was also granted for the conversion of Block 8 to residential flats as permitted by the original outline permission, but was not implemented.

3.4 Redevelopment of the western end of the former hospital site for residential purposes was approved after the local mental health authority shelved plans for the development of a new mental health facility on the site.

4. Description of Proposal

4.1 It is proposed to redevelop the site to provide a new 630 place 3 Form of Entry (FE) primary school for pupils 4-11 years. The school would be co-educational and non-selective with opening anticipated in September 2016 with an initial intake of 90 reception children building up to full capacity in 2022.

4.2 The existing building would be demolished and replaced in a central position on the site, by a broadly L-shaped 2/4 storey building with a maximum height of 32.2m, providing 2,934 sqm Gross Internal Floorspace. The building would include the following:

- Basic teaching and specialist activity room,
- Small group rooms (including Special Educational Needs),
- Learning resource centre,
- Halls and studio,
- Staff and administration,
- Kitchen,
- Toilets, personal care and storage, and
- Plant.

4.3. Vehicular access to a small (8 space) car park would be taken direct from Union Road adjacent to the eastern boundary of the site. The main pedestrian access to the school would be from Union Road with a secondary access at the western end of the building adjacent to a gated pedestrian entrance and path and a row of cycle storage racks. A separate pedestrian entrance would be provided from Jubilee Park for pupils and staff arriving from the south.

4.4 The remainder of the site area is identified to be hard surfaced and soft landscape play areas.

4.5 The application is accompanied by a suite of documents which include:

- Planning Statement
- Design and Access Statement
- Heritage Statement
- Building Condition Survey
- Preliminary Ecological Assessment
- Bat Survey
- Transport Assessment
- Outline Travel Plan
- Flood Risk Assessment incorporating drainage
- Noise Assessment
- Energy Statement
- Sustainability Strategy
- Phase 1 Desk Study and Preliminary Geoenvironmental Assessment
- BREEAM Pre-assessment
- Air Quality Assessment
- Explosive Ordnance Threat Assessment
- Construction Phase Plan
- Dust and Mitigation Management Plan
- Building Condition Survey

5. **History**

- 5.1 There is extensive history relating to the former use of the site as a hospital. The most relevant history relates to the subsequent redevelopment of the site:

P1635.04 Outline planning application for residential development (key workers and general housing) – Approved

P1634.04 Outline planning application for demolition of existing buildings on site and redevelopment to provide a mental health facility – Refused

P0634.06 As above - Withdrawn

Eastern end of site

P2485.07 Reserved matters application 1 – blocks 9, 10, 11, 12, 13 & 14. 502 new build residential units and car parking pursuant to outline planning permission P1635.04 – Approved

P0159.08 - Reserved matters application 2 – Blocks 8 and 17 - Approved

P1638.09 - Redevelopment of the former Oldchurch Hospital to provide 493 residential units, an energy centre, a local park, car parking, access and internal roads and hard and soft landscaping. – Approved

Western end of site

P0975.10 – Revised scheme comprising 366 dwellings with height varying from 2 to 6 storeys (338 flats maisonettes and 28 houses) _ Approved

P1417.11 –Non-compliance with condition 2 of P0975.10 to enable alterations to approved scheme - Approved

6. **Consultation/Representations**

- 6.1 The proposals have been advertised as a major development by the display of site notices and by press notice. A total of 1128 individual properties were notified directly of the proposals.

- 6.2 9 representations of objection have been received. Objections are raised on the following grounds:

- Increase in traffic with resultant additional noise and pollution and queuing at busy times;
- Nowhere for parents to park or drop off children, parking restrictions everywhere, will result in illegal parking on yellow lines and abuse of residents parking bays.

- Access to the site is not practical and it would be located close to some of the busiest roads and junctions in Romford which would be dangerous;
- No room for any larger vehicles that may need to access the site, e.g coaches;
- Noise from school will cause disturbance to residents which include many nurses on shifts; Noise could extend into evenings and weekends because of proposed community use;
- Site is already too built up and overcrowded, overdevelopment of a small site, site should be used to provide more parking for residents;
- School use of Jubilee Park will be a deterrent to public use;
- Overlooking and loss of privacy for adjacent flats and vice versa;
- Publicity and public consultation was inadequate;
- Building should be retained and restored/re-used.

The representations are addressed within the body of the report at paras 7.10, 7.14, 7.15, 7.18 - 7.20 and 7.24 – 7.27.

6.3 One representation supporting the proposal has been received.

6.4 **Consultee Responses**

Environment Agency – No Comments..

Historic England GLAAS - Advise that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No condition required.

Greater London Authority – Strongly supports additional school provision in modern educational facilities with a degree of community use. The loss of potential housing arising from the previous unimplemented permission does not raise strategic concern. The proposed demolition of the existing building, although regrettable is justified and accepted.

The proposals offer the potential for a high quality building subject to detailed design and control over materials. Full passenger lifts should be incorporated rather than platform lifts.

Details of the measures to avoid overheating and minimise cooling demand should be addressed through an overheating assessment. Potential for future connection to a district heating network should be built in. The carbon offset fund should only be considered if the GLA is satisfied that the CO2 reduction target cannot feasibly be met onsite. Viability claims should be supported by cost analysis. Further information on the potential for installing additional PV panels to meet the 35% carbon emission target should be provided.

The overall provision of long term cycle parking space should be increased and secured by condition. A delivery and servicing plan and a construction

logistics plan should be secured by condition. The final travel plan should be secured, monitored and enforced through a S106 agreement.

LBH Environmental Health – Recommend conditions related to contamination assessment, landfill gas, plant and machinery.

LBH Highways/Streetcare – Object to the proposal on the grounds that whatever measures are put in place by way of Travel Plans, yellow lines and other parking restrictions, a proportion of parents/carers will always ignore them. Although it is not possible to predict what level of problem will result, Union Road is only 5 metres wide and there is no provision made for drop off and pick-up and on this basis the proposal fails to meet the requirements of LDF Policy DC33.

The wider need for school places is recognised as is the fact that any decision would need to be balanced against this. In the event that planning permission is granted a number of conditions and informatives are suggested, including provision for a School Travel Plan to be provided and maintained.

LFEPA – Advice given that the development needs to comply with the relevant sections of Approved Document B of the Building Regulations

Lead Local Flood Authority – Proposals are acceptable

Met Police SBD – Recommends that a condition and informative be attached to any permission.

Romford Civic Society – Object to the application on the basis that the building provides an attractive context for other retained locally listed buildings on the site. The building could be restored and adapted to new uses, which for a school would provide a tangible link to the social history of Romford. Demolition would be contrary to policy and the quality of the local environment.

Thames Water - No objections subject to imposition of conditions and informatives

Transport for London – No adverse highway impacts on the Transport for London Road Network are anticipated. The intention to stagger the school starting and finishing time as a means of spreading the intensity of use is noted. The proposed level of cycle and scooter parking is identified as being below London Plan standards and should be expanded and secured by condition.

7. Relevant Policy

- 7.1 Policies CP8 (Community Facilities); CP10 (Sustainable Transport); CP15 (Environmental Management); CP17 (Design); CP18 (Heritage); DC26 (Location of Community Facilities); DC27 (Provision of Community

Facilities); DC32 (The Road Network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC48 (Flood Risk); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water Supply, Drainage and Quality); DC52 (Air Quality); DC53 (Contaminated Land); DC55 (Noise); DC59 (Biodiversity in New Developments); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC67 (Buildings of Heritage Interest); and DC72 (Planning Obligations) of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations. In addition, the Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD and Sustainable Design and Construction SPD are also material considerations.

- 7.2 Policies 3.16 (Protection and enhancement of social infrastructure); 3.18 (Education facilities); 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.6 (Decentralised energy in development proposals); 5.7 (Renewable energy); 5.10 (Urban greening); 5.11 (Green roofs and development site environs); 5.12 (Flood risk management); 5.13 (sustainable drainage), 5.21 (Contaminated land); 6.3 (Assessing effects of development on transport capacity); 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.1 (Lifetime neighbourhoods); 7.2 (An inclusive environment); 7.3 (designing out crime), 7.4 (local character);, 7.6 (architecture), 7.8 (Heritage assets and archaeology); and 8.2 (planning obligations) of the London Plan (LP) and the provisions of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations.

8. **Staff Comments**

Principle of the Development

- 8.1 Within Havering there is an identified need for additional school places, evidenced by the schools commissioning report produced by the Council which shows an existing and proposed shortfall in school places across the Borough. This demonstrates that there is a need to accommodate 3,000 additional primary school pupils over the next 5 years.
- 8.2 The NPPF gives the highest level of national policy support for school provision, stating at para 72 that local planning authorities should give great weight to the need to create, expand or alter schools. Policy 3.18 of the London Plan states that development proposals which enhance education and skills provision, including new build, will be supported. The policy goes on to state that proposals that address the current and projected shortage of primary school places will be particularly encouraged. Policy DC29 of the LDF states that the Council will ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of residents by taking account of future demand and normally seeking to meet the need for increased school places within existing sites.

Policy DC28 encourages the wider community use schools and their facilities where this will not give rise to adverse environmental or amenity problems.

- 8.3 The application demonstrates that the proposal seeks to respond to the critical shortage of school places in Romford. An assessment has been undertaken of potential alternative sites which concluded that the proposed site is the only one that is realistically available, deliverable and suitable. Furthermore, there is no reasonable prospect of the need for school places being solely be met by the expansion of existing schools in the near future.
- 8.4 Accordingly, all levels of planning policy relating to educational provision offer strong support in favour of the proposal.
- 8.5 The proposal does, however, require the demolition of one of the few remaining buildings from Oldchurch Hospital and in considering the principle of the development this loss needs to be balanced against the support offered by educational facility planning policy.
- 8.6 Policy DC67 provides guidance on dealing with applications which impact upon Listed Buildings and other buildings of heritage interest and states that account will be taken of their contribution to heritage.
- 8.7 Policy 7.8 of the London Plan recognises the importance of heritage assets and requires that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.
- 8.8 The NPPF reinforces these messages confirming at para 135 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. NPPG adds to this at para 041 by suggesting, in the case of buildings, that their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.
- 8.9 The building is the original Nurses' and Doctors' Home dating from 1924, is locally listed and is therefore classified as a heritage asset. In the Council's Buildings of Local Heritage Interest Heritage Asset Register it is described as handsome and interesting and a recognisable landmark in Romford. Its role in creating a sense of place and reminder of the past use of the site and social history is also highlighted. Despite its currently dilapidated condition the Asset Register therefore places some weight upon the significance of Block 8 as a heritage asset.
- 8.10 The planning application includes documentation which demonstrates that proper consideration has been given to the potential of the existing building for re-use and conversion to provide usable accommodation for a new school. This shows that the nature of the remodelling that would be required to achieve this would be extensive including internal modifications

and structural alterations. The existing floor voids are not sufficient to incorporate the required servicing, window openings would not meet approved daylighting criteria, the building fabric does not comply with energy efficient standards and new external circulation cores would be required to ensure adequate means of escape. Not only would the structural and physical alterations and additions potentially compromise the buildings stability and alter its character and appearance, but such works would also be financially prohibitive and exceed the level of funding available.

- 8.11 Staff consider that a case has been made for the demolition of the existing building on the basis that retention and re-use would be financially unviable, and even that were not the case, that the delivery of educational facilities in the existing building would offer a lower quality teaching facilities and would compromise the significance of the building as a heritage asset. However, the demolition should only be considered if it can be concluded that the proposed replacement is of sufficiently high quality design, taking account of the contribution that the building makes to the character of the site and the siting of the open space in front of it. This is considered further below.
- 8.12 On the basis that the principle of the development and the necessary loss of the existing building is acceptable, the acceptability of the proposal therefore depends upon consideration of other planning matters the subject of the rest of the report.

Design, Layout and Massing

- 8.13 The site has important frontages to both Union Road and to Jubilee Park and the proposed building responds to this with the four storey teaching block being aligned with Union Road where the main entrance would be located. Both elevations are structured around a series of brick and rendered three window bays, which reflect the internal arrangement of the classrooms and establish a structure and rhythm to the facades. The recesses between the bays would incorporate full height glazing bringing light into the central corridor.
- 8.14 The surrounding area contains a mix of architectural styles which the proposed development would contribute to positively, creating a high quality contemporary building, but one that still provides architectural links to the existing building. This is reflected by the use of red brick, the setback rendered treatment of the upper storey which echoes the current mansard roof and the extension of red brick down to ground floor in the central bay facing Jubilee Park, reflecting the location of the existing entrance to the Nurses Home. It is also proposed that the main entrance portico to the Nurses Home would be salvaged and re-used as the pedestrian entrance to the site from Jubilee Park. The use of quality brick/railing walls and landscaping to the side and rear would integrate the site into the adjacent open space. A condition is suggested to ensure that these take place.

- 8.15 The height at up to four storeys is slightly greater than the existing three storey building which relates well to the recently constructed surrounding residential blocks, without dominating the northern end of the park.
- 8.16 Overall staff are satisfied that the scheme has the potential to provide a building of suitable high quality, interest and articulation to replace the existing. The final details of materials would be reserved by condition.

Impact on Amenity

- 8.17 The building would be located a minimum of 17m from Wave Court to the east, 30m from Sheldon Court to the north and 20m from the as yet unbuilt Block 4 of the Swan/NU Living development to the west. The proposed building would occupy a similar footprint to the existing. The sunlight and daylight assessment demonstrates that whilst there would be some marginal adverse effects on sunlight and daylight to these neighbouring blocks as a result of the increased height, there would equally be some improvements as a result of the lower two storey profile of the eastern "halls" wing, and the more open relationship on the western side where the new building will not extend as far to the south as the existing. No objections are therefore raised on these grounds.
- 8.18 Visually, residents of the recent neighbouring development have only experienced the existing building as the dilapidated structure which currently exists. The proposed replacement with a new quality building can therefore be reasonably viewed as an improvement in visual and outlook terms. Staff are satisfied that the degree of publicity and public consultation about the proposals both prior to and following submission of the application were sufficient.
- 8.19 The classroom windows all face north or south and to the north are sufficiently separated (30m) from Sheldon Court for there to be no harm by way of overlooking or loss of privacy. The only windows facing east and west at upper floor levels either serve the staff room or stairwell and are again sufficiently separated for there to be no material harm caused to neighbouring residential amenity. As regards the potential for overlooking of the school and playground itself from neighbouring development, this is not an unusual situation for schools which by their nature are generally located in predominantly residential areas, but furthermore the distances involved, site layout and proposed screen planting and boundary treatment are considered sufficient to mitigate any perceived issue.
- 8.20 The use of the site as a 3 FE school will result in a notable increase in activity both as a result of arrival/departure, outside play and evening and weekend community use. However, the majority of such activity would be during daytime school hours when any increase in noise and disturbance would be unlikely to upheld as a reason for refusal. As will be covered in the next section, the intention is that pupils at the school will arrive on foot and that dropping off by car will be expressly and positively discouraged.

Highways and Parking

- 8.21 When fully occupied the school is designed to provide for 630 pupils aged 4-11 with a total of 41 members of staff, including non-teaching staff. The number of pupils would build up over 6 years with an intake of 90 per year, opening in September 2016 with an intake of 90 reception children, reaching full capacity in 2022.
- 8.22 Policy DC33 requires that car parking should not exceed the maxima set out in Annex 5 which in the case of primary schools should be at a rate of 1 space per teaching staff. The car park would provide only 5 spaces for staff and 3 short stay parent spaces which are not intended for dropping off other than in special circumstances such as a child with special needs or when a meeting with staff is required.
- 8.23 The school policy would be not to permit parents to drop off or pick up their children from the school / Union Road between the hours of 0830 and 1600. Parents and guardians would be proactively encouraged through the Travel Plan process to use alternative transport modes for journeys to and from the site, and “park and stride” locations would be highlighted. Parents of prospective pupils would be advised of the policy when enrolling children.
- 8.24 Union Road is accessed directly from the northbound lane of Waterloo Road and egress can be made the same way or to Oldchurch Road through the Swan/NU Living development. The site is located in a highly accessible location with a PTAL of 5 with bus stop facilities in Oldchurch Road, Rom Valley Way and Waterloo Road within easy walking distance of the site and a new surface level crossing of Waterloo Road is planned to be provided close to the junction of Union Road with Waterloo Road. Furthermore there are double yellow line parking restrictions on Union Road, which mean that any parents that chose to ignore the policy would be liable for a parking fine. Such parking restrictions are likely to be extended into the Swan / NU Living site when the roads become adopted. Access into the Reflections Wimpey development is to be gated when the development is complete.
- 8.25 The application is subject to objection from the Council’s Highways Engineer. However, Members will note that the objection is tempered by an acknowledgement of the balance that needs to be drawn with the wider pressing need for school places. They will also note that no concern is raised about highway capacity or the safe operation of the highway network. The site is located over 100m from Waterloo Road so any issues arising are unlikely to impact upon the wider network.
- 8.26 For problems of parking and congestion to be avoided staff are of the opinion that a rigorous and legally binding, regularly reviewed and updated Travel Plan, which sets a target of zero for parents dropping off at the site will be needed. It is suggested that provision for a Travel Plan should be

subject to S106. The Travel Plan will need to require the school to respond to any unauthorised parking in a proactive and timely manner and the applicants are agreeable to this. Furthermore, it has been agreed that each year until full capacity is reached, that the school would appoint an independent transport consultant (to be approved by the Council) to undertake surveys and assess the degree to which parents arrive at the school at the start and end of the school day by car and park/stop on Union Road or other roads within the adjacent residential development, together with recommendations that the school would need to implement by means of reasonable measures. This measure would also be incorporated into the S106 agreement.

- 8.27 Staff are satisfied that the school can operate without causing undue highway or parking problems and that if problems do occur that the school would be under an obligation to respond as expeditiously and comprehensively as possible. On this basis no objection is raised.
- 8.28 The provision of 46 long term secure covered cycle parking spaces is proposed. The Council's standard for cycle parking is that provision should be at a rate of 1 /10 pupils or staff giving a total requirement of 69 spaces when the school is at full capacity. The Mayor's standard is even higher at 1 / 8 giving a total requirement of 84 spaces. Whilst the level of cycle parking proposed would be sufficient to meet the standards necessary when the school first opens, if the required level is not provided from the outset it may be difficult to retrofit. A condition is therefore suggested to require that that Mayors standard is met.

Environmental Issues

- 8.29 Flood Risk and Drainage – The application has been accompanied by a flood risk assessment which concludes that the site is of low risk of flooding. It is proposed that surface water be attenuated on site to control flows to existing drains. This is considered to be acceptable.
- 8.30 Sustainability and Energy – A detailed sustainability statement and energy statement have been submitted with the application, proposing a range of measures in order to achieve a 35% reduction in CO₂ emissions above Building Regulations requirements as required by London Plan Policy 5.2. There remain a couple of outstanding issues raised by the GLA in this regard. It is therefore recommended that the final wording of any condition(s) requiring measures as outlined to be included in the development be delegated to the Head of Regulatory Services.

9 Conclusion

- 9.1 The need for school places is a factor that weighs significantly in favour of the proposed new school building. The loss of the existing building, which is a heritage asset, has been shown to be necessary and can in this particular case be justified not only by the need for school places but the high quality of the proposed design. A successful travel plan would be

necessary to minimise the likelihood of illegal parking taking place close to the site. Whilst the school is growing over the first 5 years, it is considered necessary to have measures in place to monitor parking around the site and revise the travel plan if necessary. It is therefore recommended that planning permission be granted, subject to S106 legal agreement.

- 9.2 Stage 2 referral of the application is required to the Mayor of London, who has the power to either direct refusal of the proposal should it be considered contrary to strategic policies for London or take on the application for his own determination..

IMPLICATIONS AND RISKS

Financial Implications and risks:

A Section 106 planning obligation is required to make the application acceptable. The agreement will include the payment of the Council's legal expenses involved in drafting the S106 agreement.

Legal Implications and risks:

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

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to equality and diversity. The development would offer non selective educational facilities and would incorporate all necessary facilities to ensure equality of access and is well located to serve all of the local community.

BACKGROUND PAPERS

1. Application form and supporting statements.

REGULATORY SERVICES COMMITTEE

18 February 2016

REPORT

Subject Heading:

P1773.15: Engayne Primary School, Severn Drive

Infill of the existing external courtyard to the staffroom/school reception building to provide two flexible workspaces. Altering windows and doors on the eastern flank wall. (Application received 1 December 2015).

Ward

Cranham

Report Author and contact details:

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

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The Council is in receipt of an application seeking permission to infill the existing area of courtyard in the administration block, located in the southeastern corner of the site. This will create additional teaching space within the existing cluster of buildings. The proposal will also reconfigure the floor layout of the surrounding buildings. The extension will create an additional 100m² of Gross Internal Area. The proposed extension would not result in an increase in pupils or teaching staff and will be utilised as additional teaching/training spaces for existing students and staff. The proposed extension will have a flat roof matching the height of the host building. Various internal floor layout changes are also proposed. These internal alterations do not require planning permission however they do result in the rearrangement of the windows and doors on the northern flank wall of the administration building.

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

RECOMMENDATIONS

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

1. Time Limit

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

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

2. Materials

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

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

3. Accordance with Plans

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

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

4. Hours of Construction

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

Reason:-

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

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. Site Description

- 1.1 The subject site is located at the intersection of Severn Drive and Humber Drive. The school buildings are located near Severn Drive with the playing fields to the west. The site is surrounded on all sides by residential properties.

- 1.2 The development concerns the existing administration block which is a cluster of single level buildings adjacent to Severn Drive.

2. Description of Proposal

- 2.1 Permission is sought for a single storey infill extension to the existing administration building situated on the south eastern corner of the school premises, providing an additional 100m² of gross internal floor area which will be used as flexible teaching and training space within the school.
- 2.2 There are various internal floor layout changes within the existing administration building. This will result in the alterations to the windows and doors on the northern elevation of the building (facing the existing staff car park).
- 2.3 The proposal would feature a flat roof and be of a matching height to the host building.
- 2.4 The proposal will not result in an increase of pupil or staff numbers into the school and will provide additional teaching support space for the school.

3. History

- 3.1 P1632.15 – Various single storey extensions to early years block, providing 2 additional classrooms, increase in hall area, single storey extension to the 2 storey block providing new classroom and entrance lobby, together with extension to existing playground, staff car park and new drop off area and car park – application yet to be determined

P0068.13 – Swimming pool enclosure – Approved with conditions

P2201.07 – Installation of solar photovoltaic system (panels and framing) on the roof of school building – Approved with conditions

4. Consultation/Representations

- 4.1 Neighbour notification letters were sent to 129 neighbouring occupiers. A total of five objections were received.
- 4.2 The objections related to the following planning matters:
- Adverse effects on ingress/egress to neighbouring residential properties during school drop off/pick up
 - An increase in traffic generation leading to safety issues on the road
 - Increased noise

The proposal will not increase the number of classrooms or students on the site. As such there will not be any increase in noise effects or traffic generation.

- 4.3 The objections also included the following matters:

- Adverse effects on children's education
- Loss of outdoor play areas

The impact of the proposals upon children's education is not a matter which can be taken into account in considering this application. There is no loss of outdoor play space proposed as this is not part of the play area.

4.4 Traffic, Engineering & Streetcare – No objections.

5. Relevant Policy

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

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

6. Staff Comments

6.1 The application is being reported to Committee because the applicant is the Council and the planning application has received submissions in opposition. The issues for Staff to consider relate to the impact that the proposed extension, as well as changes to the northern elevation of the administration building, would have on the character of the original building, locality and the amenity of neighbouring properties.

7. Principle of Development

7.1 Policy DC29 of the LDF states that educational premises should be of a suitable quality to meet the needs of residents. The development provides for additional teaching areas within the school. The proposal itself does not increase the number of students or teaching staff. Therefore the proposal can be considered a necessary expansion in order for the school to continue to cater acceptably to the needs of existing students and thereby the wider community. The proposal is therefore acceptable in principle.

8. Design/Impact on Street/Garden Scene

8.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context.

8.2 The proposed infilling of the courtyard will not be noticeably visible from beyond the site. The addition of the roof will not be a visually obtrusive feature given that it will be viewed within the context of the existing building.

8.3 As viewed from Severn Drive the proposed roof will not be viewed above the ridge of the dual pitched roof of the existing building. This will also screen the roof from any adjoining residential sites. It is not considered

that it would give rise to any substantial visual impact on these neighbouring premises.

8.4 The changes to the windows and doors on the northern elevation of the administration building will face the existing staff car park. This will not be visible from the public realm.

8.5 It is considered that the proposed infill extension and changes to the windows and doors on the northern elevation of the administration building would, by reason of its design, positioning and scale, safeguard and preserve the character and appearance of the school and surrounding area. The proposal is acceptable and in accordance with Policies DC61 and advice contained within the NPPF.

9. Impact on Amenity

9.1 Policy DC61 states that Planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties and has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.

9.2 The proposed roof will not be visible from the street as it will be located below the ridge of the existing dual pitched building. The proposed extension will be located 35m from the nearest residential building. The proposal would not result in any loss of privacy, outlook, sunlight or daylight to neighbouring properties or any adverse effects over and above that which exists presently.

9.3 The changes to the windows and doors on the northern elevation will not be visible from any adjoining site.

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

10. Highway/Parking

10.1 Havering's Streetcare team have raised no objections to the proposed development. There will not be any increase in staff number or pupils as part of this proposal and no additional car parking spaces are required. Therefore it is the proposal is considered acceptable in parking and highways standards terms as it will not materially impact upon current parking and highways conditions nearby to the school and in accordance with Policy DC33 during the morning and afternoon peaks.

11. Conclusion

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

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

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

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

Human Resource Implications:

None.

Equalities and Social Inclusion Implications:

None.

BACKGROUND PAPERS

Application form and drawings received 01-12-2015.

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REGULATORY SERVICES COMMITTEE

18 February 2016

REPORT

Subject Heading:

P1554.15 – 144 Corbets Tey Road,
Upminster

Alterations including part demolition of the
existing detached bungalow to create a
house and construction of new detached
dwelling. (Received 21/10/15)

Ward:

Upminster

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 conversion and part demolition of the existing dwelling to allow room for the construction of a 3-bedroom detached dwelling. The application has been called before the Regulatory Services Committee by Councillor Linda van den Hende.

The proposal raises considerations in relation to the principle of development, the density, layout, scale, design and the impact of the development in the street scene, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

The application is recommended for approval 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 289.8m² (426.8m² minus 137m² of floor space to be lost) and amounts to £5,796.

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 £6,000 to be paid prior to commencement of development and to be used towards infrastructure costs.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- To 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.
- Payment of 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 houses hereby permitted are first occupied, 4 no. car parking spaces shall be laid out to the full satisfaction of the Local Planning Authority. 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 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 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

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.

7. 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.

8. Hours of Construction

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

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

9. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

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

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

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

10. Wheel washing

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

The submission will provide;

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

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

11. Boundary treatment

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

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

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

12. Accessibility

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

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

13. Permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extensions, roof extensions, roof alterations or outbuildings, aside from outbuildings less than 10 cubic metres, shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

14. Obscure with fanlight opening only

The proposed windows at first floor in the northern and north-western elevation of the 5-bedroom dwelling, serving a bathroom and en-suite bathroom, 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.

15. Standard flank window condition

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

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

16. Balcony condition

The flat roof area created to the rear of the 5-bedroom dwelling 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.

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: 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.
3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
4. Please note that by virtue of Condition 12, you are required to notify the relevant Building Control body of these conditions as part of any application.

REPORT DETAIL

1. **Call In**

- 1.1 The application has been called in by Councillor Linda Van den Hende as it would have a serious impact on the street scene and cause an unbalanced environment. In addition both the neighbour in Little Gaynes Lane and that of 142 Corbets Tey Road would be significantly inconvenienced with the overlooking from the new build and loss of amenity.

2. Site Description

- 2.1 The application site is a corner plot, located on the corner of Corbets Tey Road and Little Gaynes Lane. It currently consists of a hipped roofed bungalow with a large single storey extension. The dwelling and extension covers approximately 50% of this 0.084 hectare site. The site measures 27m wide by 43m long at its longest and widest points.
- 2.2 The surrounding area is residential in character and comprises of predominantly two storey semi-detached and detached dwellings.

3. Description of Proposal

- 3.1 The application seeks permission for the demolition of part of the existing bungalow and it's conversion to a two storey 5-bedroom dwelling.
- 3.2 The 5-bedroom dwelling would predominantly follow the footprint of the existing bungalow with a two storey side addition fronting Little Gaynes Lane measuring 11.15m in width, 11.9m in depth and finished with a hipped roof 8.9m in height to the ridge. This dwelling would be situated approximately 1.5m from the northern flank boundary. Private amenity space of 157m² would be provided to the rear of the property.
- 3.3 The proposal would also include a new two-storey detached 3-bedroom dwelling. The new dwelling will be constructed approximately 1m off the western flank boundary. The new detached dwelling would measure 9.1m wide, 10.5m deep and 7.75m in height to the ridge. The new dwelling will be finished with a hipped roof with a cat-slide design to the rear. Private amenity space of 89m² would be provided to the rear of the property.
- 3.4 The proposals would maintain the existing building line along Little Gaynes Lane and will be set back from the prevailing front building line along Corbets Tey Street.
- 3.5 Five parking spaces would be provided with a least 2 spaces for each dwelling.

4. History

- 4.1 On 19 August 2015, planning permission Ref. P0900.15 was refused for alterations including part demolition and conversion of existing detached bungalow into 2 semi-detached bungalows and construction of new 1x3 bed detached dwelling. The Refusal Reasons were:
- The proposed 1.8m high boundary wall on the eastern boundary, by reason of its height would appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

- The layout of the development would, by reason of the siting of the dwellings, proportions and proximity to the boundaries of the plot, combined with the angled boundary, give rise to a cramped appearance and overdevelopment of the site contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.

- In the absence of a legal agreement to secure contributions towards the demand for school places arising from the development, the proposal fails to satisfactorily mitigate the infrastructure impact of the development, contrary to the provisions of Policies DC29 and DC72 of the Development Control Policies DPD and Policy 8.2 of the London Plan.

5. Consultation/Representations

5.1 Notification letters have been sent to 23 neighbouring addresses and 3 objections were received raising the following concerns:

- loss of light
- over-development of the site
- development will be forward of the neighbouring house
- add traffic to a busy lane
- out of character with the surrounding area
- out of proportion
- block field of view of vehicles

5.3 The Highway Authority has raised no objection to the proposal however has requested vehicle cleansing and construction method conditions.

5.4 The London Fire Brigade has not raised an objection to the proposal.

6. Relevant Policies

6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), 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.

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

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), 7.14 (improving air quality), 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), 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

7. Staff comments

- 7.1 This proposal is put before the Committee owing to the application being called in. The main considerations in this case are the principle of development, the density, layout, scale, design and the impact of the development in the street scene, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

7.2 Principle of Development

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

- 7.2.2 The proposal is for the redevelopment of the existing residential site. The site is not designated as Green Belt land, an employment area, or within Romford town centre in the Development Plan.

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

7.3 Density/ Layout

- 7.3.1 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.

- 7.3.2 The proposal would provide 2 no. residential dwellings at a density equivalent to approximately 24 dwellings per hectare. This is slightly below range anticipated by Policy DC2 which states that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this location. Although the number of units per hectare is below the recommended range consideration should be given to the proposal being located within a residential area with a relatively low density consisting of two storey detached and semi-detached dwellings with large gardens.

- 7.3.3 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The technical housing standards require that new residential development conforms to nationally described minimum internal space standards.

- 7.3.4 The proposal would provide residential units with varying floor space sizes both 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.
- 7.3.5 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.
- 7.3.6 The current proposal differs from the previous refusal in that the application has reduced the amount of residential units on the site from three to two. This has enabled an increase in amenity space provision to the current proposal. The proposed amenity space is also better orientated and provides a suitable degree of privacy.
- 7.3.7 Staff are of the view that the proposed rear and side garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.
- 7.3.8 The current proposal shows a reduction in the amount of units on site from three to two which has resulted in a slightly larger rear garden amenity area to the detached dwelling and a significant increase in amenity area to the existing dwelling. Although there could still be an argument made that the increase in bulk and size of the current proposal could still have the appearance of an overdevelopment of the site, Staff do not consider this to be the case. The increase in amenity space provision as well the distance between the two dwellings proposed on site would result in a more spacious visual appearance as is evident when comparing the current proposed streetscene drawing with that which was previously refused. In particular Little Gaynes Lane would benefit from a greater separation of dwellings. Staff acknowledge that there would be a greater visual impact when comparing the proposed Corbets Tey Road streetscene to the previous refused scheme, however it should be noted that the visual impact would be mitigated given that a large part of the dwelling would be set back from the main building line fronting onto Corbets Tey Road.
- 7.3.9 Staff consider the previous concerns relating to density and overdevelopment of the site to have sufficiently been addressed, however Members may wish to attach different weight to this aspect.

7.4 *Design/Impact on Streetscene*

- 7.4.1 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.
- 7.4.2 The proposed 5-bedroom dwelling fronting Corbets Tey Road, although slightly higher (0.5m) than the neighbouring property at No 142, is not

considered to result in a harmful impact on the streetscene. The projecting width fronting onto Corbets Tey Road is similar to that of the immediate neighbouring occupier, with the remainder set back approximately 3.2m from the front building line. This dwelling will therefore relate satisfactorily to the existing properties along Corbets Tey Road.

- 7.4.3 The new detached dwelling fronting Little Gaynes Lane would relate satisfactorily with the existing properties along this road. The proposed dwelling would maintain the existing Little Gaynes Lane building line and is not considered to result in an unacceptable impact on the streetscene. Both properties are well set back from the pavement and will retain sufficient spacing between them and neighbouring dwellings.
- 7.4.4 Previous concern relating to the impact of boundary treatment on the streetscene has sufficiently been addressed within this revised proposal. By moving the private amenity area from the front of the dwelling to the rear there is no longer a need to provide a high boundary fence abutting Corbets Tey Road.
- 7.4.5 In terms of design and visual appearance, Staff are of the opinion that the development would have an acceptable appearance with no harmful impact to the character of the surrounding area. In light of sufficient separation distances between the proposed and neighbouring dwellings, Staff are of the opinion that the proposal would not appear as a cramped form of development and overall would have an acceptable design and appearance, compliant with the aims and objectives of Policy DC61 of the Local Development Framework and the Residential Design SPD.

7.5 *Impact on Amenity*

- 7.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 7.5.2 The proposed new dwelling fronting Little Gaynes Lane will not have a detrimental impact on No. 2 Little Gaynes Lane as it will not extend beyond the existing front and rear building lines. Also no flank windows are proposed. This dwelling would not result in a harmful impact in terms of loss of light given the separation distance of 5.3m between the proposed dwelling and the neighbour at No. 2. No unacceptable impact would result to the rear garden of No. 142 Corbets Tey Road as the new dwelling is set 7.5m from the shared boundary with this neighbour and only has high level windows in the rear elevation.
- 7.5.3 The conversion of the existing bungalow to a two storey 5-bedroom dwelling would not result in an unacceptable impact on the amenity of No. 142 Corbets Tey Road as it is set in 1.5m from the rear boundary and finished with a hipped roof which slopes away from this boundary. Although this property would project at two storey level 3.2m beyond the

rear building line of No. 142 Corbets Tey Road, it is not considered to result in a harmful impact given the separation distance of 2.4m between the dwellings. Two flank windows serving bathrooms (one at a 45 degree angle) are situated at first floor and a condition will be added in the event of an approval to have these permanently glazed with obscure glass and fixed shut with the exception of top hung fanlight(s). The first floor windows and loft rooflight proposed to the rear elevation are not considered to result in an unacceptable impact in terms of overlooking given the layout of this dwelling in relation to the proposed detached dwelling fronting Little Gaynes Lane. Potential buyers would also be aware of the orientation of the dwellings and where the windows would be situated.

7.5.4 It is therefore considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

7.6 *Highways / Parking Issues*

7.6.1 Policy DC2 of the LDF indicates that in this part of the Borough parking provision for residential development should be 1.5 to 2 spaces per unit. The proposal provides a minimum of two car parking spaces per dwelling which is in line with policy guidelines.

7.6.2 A condition would be added to provide storage for 2 x no. cycle spaces in order to comply with the Council's standards.

7.7 *The Mayor's Community Infrastructure Levy*

7.7.1 The proposed development 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 289.8m² (426.8m² minus 137m² of floor space to be lost) and amounts to £5,796.

7.8. *Planning Obligations*

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

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

7.8.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the

educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

- 7.8.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 7.8.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 7.8.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 7.8.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 7.8.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 7.8.8 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.

7.9 *Other Issues*

7.9.1 With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days. A condition would be added to require details of the refuse storage arrangements prior to the commencement of the development.

8. **Conclusion**

8.1 Staff considers the current proposal to have sufficiently addressed the previous reasons for refusal. Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.

8.2 Staff do not consider that the proposed development raises concerns in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. The proposal is considered to be acceptable in all material respects.

IMPLICATIONS AND RISKS

Financial Implications and risks:

Financial contributions are required through a legal agreement.

Legal Implications and risks:

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

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. Application forms and plans received 21/10/15.

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REGULATORY SERVICES COMMITTEE

18 February 2016

REPORT

Subject Heading:

P1609.15 – 1 Spilsby Road, Harold Hill,
Romford

Proposed change of use of vacant industrial building to Indoor Trampoline Park (D2) with ancillary cafeteria (A3).
(Received 02/11/15)

Ward:

Harold Wood

Report Author and contact details:

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

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

This application seeks planning permission for the change of use of the building from an industrial use to an indoor Trampoline Park (Class D2) together with an ancillary cafeteria use (A3).

It raises considerations in relation to the principle of development, impact on the residential amenity 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 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:

- Provision of a training and recruitment scheme for local people to be employed during the construction period and operation of the facility
- 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 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.

4. Restricted use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be as a trampoline park only with an ancillary cafeteria and shall be used for no other purpose(s) whatsoever including any other use in Class D2 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

5. Personal permission

The permission hereby granted shall be personal to Jump Evolution Ltd. only and shall not enure for the benefit of the land or any other person.

Reason: To restrict the use of the premises to a specific occupier to enable the Local Planning Authority to exercise control over any future occupiers not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61 also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

6. Hours of use

The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00 and 22:00 on Mondays to Saturdays and between the

hours of 10:00 and 22:00 on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

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

7. 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. 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: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. Site Description

- 1.1 The proposal site is located within the Harold Hill Industrial Estate accessed from Faringdon Avenue. The subject site comprises a large warehouse building of industrial appearance with 2100m² of floor space. The unit is presently vacant having previously been used by a distribution company.

1.2 The Harold Hill Industrial Estate is designated as a Strategic Industrial Location in the Local Development Framework and comprises a variety of buildings containing business, industrial and storage uses. The application site bounded by Spilsby Road and the industrial estate to the south and by the rear gardens of residential properties fronting onto Camborne Avenue to the north.

2. Description of Proposal

2.1 This application seeks planning permission for the change of use of the building from an industrial use to an indoor Trampoline Park (Class D2) together with an ancillary cafeteria use (A3). The applicant has not indicated the need for extraction equipment and it is clear from the submitted drawings that there are existing kitchen facilities on site. Notwithstanding the details shown on the submitted drawings any proposed extract equipment is not part of this application and would require a future planning application.

2.2 It is proposed that the applicant would create 40 to 45 new jobs.

2.3 The existing floor space of 2100m² would remain the same. No external alterations are proposed either to the circulation space around the building or the elevational treatment of the building itself.

2.4 Car parking specifically allocated for the proposed use would be provided to the front of the building for up to 29 no. cars of which 2 no. spaces will be dedicated as disabled spaces. The proposal would also provide a further 2 no. drop-off spaces. Additionally 10 no. Sheffield stands will be provided to accommodate secure, covered short term storage for 20 no. bicycles.

2.5 Hours of use proposed are from 09:00 till 22:00 Monday to Saturdays and from 10:00 to 22:00 on Sundays and Bank Holidays.

3. Relevant History

3.1 None

4. Consultations/Representations

4.1 Neighbour notification letters have been sent to 30 local addresses and 2 letters of objection were received raising the following concerns:

- additional noise and disturbance
- smells from the cafeteria
- already problems with parking
- proposed parking would not be sufficient for the intended use

4.2 The following consultation responses have been received:

- Highways Authority – no objection.

- Designing Out Crime Officer – no objection
- Environmental Health – no objection, recommended conditions in relation to contaminated land.

5. Relevant Policies

- 5.1 Policies CP3 (Employment), DC9 (Strategic Industrial Locations), DC13 (Access to Employment Opportunities), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), 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 Policies 4.4 (managing industrial land and premises), 4.6 (Support for and enhancement of arts, culture, sport and entertainment), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character) and 7.15 (reducing noise and enhancing soundscapes) of the London Plan, are material considerations.
- 5.3 The National Planning Policy Framework is also relevant to the proposal.

6. Staff Comments

- 6.1 The main issues in this case are considered to be the principle of the development, impact upon neighbouring occupiers, highways considerations and car parking provision.
- 6.2 *Principle of Development*
- 6.2.1 The application site is located within the Harold Hill Industrial Estate which is a Strategic Industrial Location (SIL) as defined in the Local Development Framework. The Harold Hill Industrial Estate is well suited for employment uses and offers a range of accommodation to suit the needs of all types of businesses. This Strategic Industrial Location provides accessible employment in the north of the Borough, particularly the Harold Hill Estate which is within a part of the borough with a high level of unemployment.
- 6.2.2 Policy DC9 advises that planning permission will only be granted for Class B1 (b+c), B2 and B8 uses in Strategic Industrial Locations.
- 6.2.3 The current proposal would be for an indoor trampoline park (D2) and ancillary cafeteria (A3) use which would be contrary to Policy DC9.
- 6.2.4 However, the Council has adopted, for development management purposes, a Planning Advice note which establishes a more flexible approach to the type of development permitted within designated industrial areas than is currently set out in Havering's Local Development Framework. This is in recognition of the Council's commitment to supporting business growth. The Note sets out a number of considerations that should be taken into account

as well as detailing the type of evidence that will be expected in support of an application. These are as follows:

1. The proposed development will be expected to make a positive contribution to the local economy and provide local employment opportunities.

The applicant has stated that the proposal would create between 40 and 45 jobs which will be more than what would normally be associated with a warehouse/logistics operation. The job opportunities will consist of administrative staff, catering staff, retailing staff and training/coaching staff. The applicant has indicated that they are committed to selecting candidates from the local area and is prepared to enter into a legal agreement to show this commitment.

2. There should be clear demonstration and evidence of vacancy

The applicant has provided a letter from Glenny Property Advisers which states that the property has been actively marketed since February 2015 for B1, B2 and B8 usage. There have been three offers; two were from other companies wanting to use the site as a trampoline park and one wanting to use the site for car storage, vehicle repairs, car finance and sales.

3. The planning application must be for a known and specified end user and the permission will be granted personally to the applicant only through the use of appropriate conditions.

Appropriate conditions can be added in the event of an approval

4. Secondary Employment Areas (SEAs) are more appropriate locations than Strategic Industrial Locations (SILs) for non-industrial employment uses.

The application has indicated that a detailed search of the Secondary Employment Area has failed to identify an appropriate and available building that would be more suited and more sustainably located than the application site. A sequential analysis was provided as part of the application which sets out details of the search process and results.

5. The proposal should not result in an unacceptable impact on amenity, parking or highway or the operation and viability of the wider industrial area.

A detailed Noise Impact Assessment has been prepared and it concluded that the proposal would not have an adverse impact on residential amenity. A detailed Transport Statement has assessed parking requirements, travel possibilities and the potential impact on the highway network. The report concluded that the application would not have an adverse impact on the highway network and that the site is able to provide adequate parking for visitors who will travel to the site

by car. No objections have been raised by Environmental Health or Highways staff on noise or highways grounds.

6.2.5 Although the proposed development is contrary to Policy DC9 Staff are satisfied that the applicant has provided sufficient evidence to demonstrate that a more flexible approach can be taken as per the guidance contained within the Planning Advice Note: 'Open for Business' - Proposals for Business and Employment Uses within Industrial Areas.

6.3 *Impact on Amenity*

6.3.1 It is not considered that the proposed leisure use would result in a materially different level of noise or disturbance than would be associated with an industrial type use. The application site is located in an industrial area where generally, there is no control of operating hours. 6.3.2 Any noise and disturbance from the cafeteria and vehicle movement would be further mitigated by the position of the cafeteria and parking area to the south of the warehouse building approximately 60m from the nearest residential dwelling.

6.4 *Environmental Issues*

6.4.1 Environmental Health has raised no objection to the proposal; however the site is located within an industrial location and a condition is recommended in the event of contamination not previously identified is found to be present at the site.

6.5 *Parking and Highway Issues*

6.5.1 The parking requirement for trampoline parks is not specifically listed within Annex 5 of the Development Control Policies DPD, Staff have therefore made an assessment as to whether the proposed amount of parking would be sufficient.

6.5.2 The applicant has indicated that there would be approximately 80-100 bouncers per hour during peak times. The applicant's business case also assumes that where people travel to the centre by car, then on average there are usually around 3 people per car.

6.5.3 Given the high accessibility of the site to sustainable forms of transport and given the target audience of the proposed use, the Transport Assessment considers a high proportion of users to travel to the site by sustainable forms of transport or would just be dropped off by parents. It is therefore not considered to be unrealistic to assume that at least 50% of people traveling to the site would travel by sustainable forms of travel and would be dropped off.

6.5.4 This would result in approximately 13 to 17 car arrivals and departures per hour during peak times.

- 6.5.5 In terms of staff, it is expected that the majority of staff would be college students or graduates who would be dropped off, walk or catch public transport. Staff parking demand is therefore considered to be minimal.
- 6.5.6 The proposed number of car parking spaces of 29 for customers, which based on the above traffic generation and evidence from other similar centres is considered to be sufficient provision. In the unlikely event that additional parking is required; there is on-street parking on Spilsby Road which would provide spaces for overflow car parking if it were needed.
- 6.5.2 The subject site is well connected in terms of access to sustainable modes of transport with good pedestrian links to surrounding residential areas and by frequent bus services which pass and stop close to the site. This provides every opportunity for staff and customers to travel to the site by sustainable modes of transport.
- 6.5.3 Staff therefore consider the parking to be sufficient. Also additional parking would be available during the busier evening hours and weekends when the surrounding uses are closed and on street parking is available.
- 6.5.4 The Highways Department has not raised an objection to the proposal.

7. Conclusion

- 7.1 Having regard to the above, whilst strictly contrary to policy, a more flexible approach can be taken in this case as the applicant has provided supporting documentation to fulfil the criteria set out within the Planning Advice Note: 'Open for Business' - Proposals for Business and Employment Uses within Industrial Areas. The proposal is not considered to result in an unacceptable impact on neighbouring amenity, parking or the highway.
- 7.2 Approval is therefore recommended subject to conditions and a legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

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 proposal would include a provision for the training and recruitment scheme for local people to be employed during the construction period and operation of the facility.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 2 November 2015.