



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
25 August 2016**

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

Members 11: Quorum 4

COUNCILLORS:

**Conservative
(5)**

Robby Misir (Chairman)
Melvin Wallace
Ray Best
Steven Kelly
Michael White

**Residents'
(2)**

Stephanie Nunn
Reg Whitney

**East Havering Residents'
(2)**

Alex Donald (Vice-Chair)
Linda Hawthorn

**UKIP
(1)**

Phil Martin

**Independent Residents
(1)**

Graham Williamson

**For information about the meeting please contact:
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Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

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

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

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

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

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

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

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

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

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

4 MINUTES (Pages 1 - 8)

To approve as a correct record the minutes of the meeting held on 4 August 2016.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 9 - 52)

- 6 **P0953.16 - WHYBRIDGE INFANTS SCHOOL, FORD LANE, SOUTH HORNCHURCH** (Pages 53 - 58)
- 7 **P0884.16 - RISE PARK INFANTS SCHOOL** (Pages 59 - 66)
- 8 **P0920.16 - 177 AND 179 MAWNEY ROAD, ROMFORD** (Pages 67 - 88)
- 9 **P0489.16 - 25-29 MARKET PLACE, ROMFORD** (Pages 89 - 108)
- 10 **P0922.15 - DOVERS CORNER, NEW ROAD, RAINHAM** (Pages 109 - 162)
- 11 **P0110.16 - MORLAND HOUSE, 12 EASTERN ROAD, ROMFORD** (Pages 163 - 180)
- 12 **P0909.16 - PHASE 2B, HAROLD WOOD HOSPITAL** (Pages 181 - 198)
- 13 **P0584.16 - 92-94 NORTH STREET, ROMFORD** (Pages 199 - 214)
- 14 **P0944.16 - 23 HUGO GARDENS, RAINHAM** (Pages 215 - 232)
- 15 **P1129.16 - 41 MANSTON WAY, HORNCHURCH** (Pages 233 - 250)
- 16 **URGENT BUSINESS**

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

Andrew Beesley
Committee Administration
Manager

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
4 August 2016 (7.30 - 9.55 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace, Ray Best, Steven Kelly and Michael White

Residents' Group Stephanie Nunn and +Julie Wilkes

East Havering Residents' Group Alex Donald (Vice-Chair) and Linda Hawthorn

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

An apology was received for the absence of Councillor Reg Whitney.

+Substitute members: Councillor Julie Wilkes (for Reg Whitney).

Councillors Viddy Persaud, Linda Van den Hende, Ron Ower, Darren Wise, Keith Darvill and Denis O' Flynn were also present for parts of the meeting.

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

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

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

47 **MINUTES**

The minutes of the meetings held on 30 June and 14 July 2016 were agreed as correct records and signed by the Chairman.

48 **P0759.16 - THREE HORSESHOE FARM, NOAK HILL ROAD, ROMFORD**

This report before Members considered an application for the erection of five new dwellings on land within the Green Belt and the Havering Ridge

Special Character Area. The proposal concerned the demolition of existing stabling, storage and residential buildings. A similar application was dismissed on appeal in March 2014 following an appeal against non-determination of that application.

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

The objector commented that the new proposal had not addressed the previous concerns and was an inappropriate development within the Green Belt. The objector concluded by commenting that the dwellings proposed were quite sizeable and out of keeping with the area.

The applicant's agent responded by commenting that the applicant had worked hard to remove the existing unsightly buildings and the proposed dwellings had far less impact on the site. The agent concluded by commenting that the proposed dwellings were designed to have rural feel and provided five quality much needed homes with large gardens and discrete parking.

With its agreement Councillors Keith Darvill, Denis O' Flynn and Ron Ower addressed the Committee.

Councillor Darvill commented that the new application did not address the previous concerns. The proposed dwellings offered no difference in height and would lead to a loss of rural ambience. Councillor Darvill also commented that StreetCare had expressed concerns regarding highways issues and that no special circumstances had been submitted to allow the proposal to be built on Green Belt land.

Councillor O' Flynn commented that if the proposal was allowed then it could set a precedent to development within the Green Belt. Councillor O' Flynn also commented that the area was subject to flooding and had been the site of numerous vehicular accidents.

Councillor Ower commented that he had originally supported the previous refusal. Councillor Ower also commented that the site was on the edge of a conservation area and that the proposal was out of keeping with the surrounding area.

During a brief debate Members discussed whether there were any special circumstances to allow the proposal to be built on Green Belt land and the impact the proposal would have on the openness of the site.

The report recommended that planning permission be approved however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the grounds that:

- The proposal by reason of its location (Haverling Ridge impact), form, alien appearance, height and physical impact would materially harm

rural openness and such harm would not be outweighed by very special circumstances.

- Failure to secure aspects covered by proposed Section 106 legal agreement.

The resolution to refuse the granting of planning permission was carried by 10 votes to 0 with 1 abstention.

Councillor Best abstained from voting.

49 **P0565.16 - 7 CAMBORNE WAY, ROMFORD**

The application before Members was for the erection of a ground and first floor rear extension.

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

The objector commented that the proposal would lead to overshadowing and a loss of sunlight to the neighbouring property. The objector also commented that the proposal would be intrusive, overbearing and create additional need for parking in the area.

In response the applicant's agent commented that the scheme had been revised and conformed to planning approval.

With its agreement Councillor Darren Wise addressed the Committee.

Councillor Wise commented that the proposal would lead to a loss of sunlight to neighbouring properties and was out of keeping with the streetscene and asked that the Committee reject the application.

During a brief debate Members discussed the proposed extension and the possible effect it could have on neighbouring properties.

Members also discussed the possibility of the property becoming a HMO.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the following grounds:

That the extension by reason of its size and impact would constitute overdevelopment of the site through its oppressive impact on the setting of the adjoining terraced house's garden causing overshadowing and reduction in rear garden enjoyment materially harmful to neighbours' amenity.

50 **P1652.15 - 2 BROOKLANDS ROAD, ROMFORD**

The proposal before Members was for the erection of an apartment building to provide ten 2-bedroom flats and associated vehicular access, drainage works and landscaping, following the demolition of all existing buildings.

The application was originally presented to the Committee on 31 March 2016 with a recommendation for approval. It was deferred in order to clarify the enforcement history on the site, whether vehicle access safety arrangements could be improved and whether a contribution could be made for affordable housing. A full response to the request for clarity was covered in the report.

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

The objector commented that the proposal would harm neighbouring residents' amenity and that the parking spaces planned for the development along the boundary wall backed on to neighbouring properties. The objector also commented that there was a lack of emergency access and parking in the area.

The applicant's agent responded by commenting that the proposal was a high quality design and that the fenestration arrangements for the development meant that there would be no overlooking of neighbouring properties. The agent also commented that the number of vehicle movements on and off the site would be halved following the completion of the development.

With its agreement Councillor Viddy Persaud addressed the Committee.

Councillor Persaud commented that the current building was an eyesore but the planned development's height was too high compared to the surrounding properties. Councillor Persaud also commented that there was a general lack of parking in the area and that the proposal would also be out of keeping in the streetscene.

During a brief debate Members discussed the proposed height of the development and the lack of parking in the area.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused on the grounds that:

- By reason of height, bulk, design, scale and position the proposal created an intrusive and overbearing development out of character with locality and harmful to amenity of neighbouring properties' outlook, privacy and rear garden enjoyment.
- Failure to secure matters via proposed Section 106 agreement.

51 **A0028.16 - CROW METALS, JUTSUMS LANE, ROMFORD -
ADVERTISEMENT CONSENT FOR SIX FIXED RIGID PVC SIGNS**

The Committee considered the report and without debate **RESOLVED** that advertisement consent be part approved and part refused subject to the conditions as set out in the report.

52 **P0722.16 - CROW METALS, JUTSUMS LANE, ROMFORD**

The application before Members sought planning permission for the provision of a platform office on-site.

Members noted that the application had been called-in Councillor Persaud on the basis that the site and use caused numerous problems to nearby residents including, but not limited to, parking issues in Crow Lane and Jutsums Lane; and general amenity impacts.

With its agreement Councillor Viddy Persaud addressed the Committee.

Councillor Persaud commented that lorries delivering to the site were often backed up on to the surrounding road which caused problems for motorists and pedestrians. Councillor Persaud also commented that the proposal would create more office space which in turn would mean more staff parking in the surrounding roads which were unable to cope with the existing parking need.

Following a motion to defer consideration of the report it was **RESOLVED** that Consideration of the report be deferred to seek clarification of whether the proposal further reduced the space available within the operational yard and as a result affected swept paths (agreed within the original approval for the use) such that lorries have to back into the roadway and/or are caused to sit on adjacent highway in a manner harmful to traffic safety and neighbours' amenity especially during early morning.

53 **P0279.16 - BROOK FARM, ST MARY'S LANE, NORTH OCKENDON**

The application before Members was for a single storey rear extension and conservatory to the side.

Members noted that the application had been call-in by Councillor Linda Van den Hende on the grounds that the application property was situated on a large plot and it was not considered that the proposed extension significantly affected the openness of the Green Belt.

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

Councillor Van den Hende commented that the application was modest in size and sort to replace an existing conservatory and provide a new utility room. Councillor Van den Hende also commented that the site was of a huge nature and that the proposal would have no impact on neighbours and that no objections had been received.

During a brief debate Members questioned the scale of the proposal and its impact on the openness of the Green Belt.

A motion was put forward to grant planning permission, this was however lost by 4 votes to 6 with 1 abstention.

It was **RESOLVED** that planning permission be refused as per the reason set out in the report.

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

Councillors Best, Kelly, White, Nunn, Wilkes and Martin voted for the resolution to refuse the granting of planning permission.

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

Councillor Williamson abstained from voting.

54 **P0763.16 - 37 GAYNES COURT, UPMINSTER**

The report before Members sought planning permission for a porch, conversion of a garage with new pitched roof and single storey side and rear extensions.

Members noted that the application had been called-in by Councillor Van den Hende on the grounds that she considered the proposal to be an over development of the site and to have a significant impact on the neighbouring property 35 Gaynes Court by affecting the light to internal rooms at the neighbour's address and the extent of the rear extension would impact on the neighbour's outside space.

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

Councillor Van den Hende commented that the proposed development would have a significant impact on the neighbouring property and its amenity.

During a brief debate Members discussed the effect the proposal would have on the neighbouring property and sought and received clarification of the closeness of the two properties.

A motion to refuse the granting of planning was put forward but was lost by 3 votes to 8.

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

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

Councillors Misir, Best, Kelly, Wallace, White, Nunn, Wilkes and Martin voted for the resolution to grant planning permission.

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

55 **P1687.15 - 2 INGREBOURNE GARDENS, UPMINSTER - ERECTION OF A DETACHED DWELLING AND ALTERATIONS TO EXISTING VEHICULAR ACCESS**

The Committee considered the report and without debate **RESOLVED** that planning permission be refused as per the reasons set out in the report.

56 **P1648.15 - LOGAN MEWS (LAND OFF), ROMFORD - DEMOLITION OF EXISTING GARAGES AND THE ERECTION OF A TERRACE ROW OF FOUR ONE-BEDROOM DWELLINGS**

The Committee considered the report and without debate **RESOLVED** that planning permission be refused as per the reasons given in the report.

57 **P0983.16 - LANGTONS JUNIOR & INFANT SCHOOL, WESTLAND AVENUE, HORNCHURCH - ERECTION OF TWO TEMPORARY SINGLE STOREY DEMOUNTABLE BUILDINGS FOR USE AS A CLASSROOM AND ADMINISTRATION CENTRE AND MINOR ASSOCIATED EXTERNAL WORKS**

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

58 **P1201.15 - SHEFFIELD DRIVE (LAND REAR OF), HAROLD HILL - CONSTRUCTION OF 4 NEW DWELLINGS (2 X 3 BEDROOM SEMI-DETACHED) WITH ASSOCIATED PARKING AND PRIVATE AMENITY SPACE, NEW ACCESS ROAD AND LANDSCAPING.**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £8,240 and without debate

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

- A financial contribution of £24,000 to be used for educational purposes
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner 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 was 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 as set out in the report.

59 **P0800.16 - BROADFORD PRIMARY SCHOOL, FARINGDON AVENUE - PROPOSED ERECTION OF A 6M HIGH ROPE CLIMBING PYRAMID WITH A SAFETY PLAY SURFACE BELOW, ON AN AREA OF THE EXISTING PLAYING FIELD.**

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

Chairman

Regulatory Services Committee

25 August 2016

Application No.	Ward	Address
P0325.16	St Andrews	31 High Street, Hornchurch
P0472.16	Emerson Park	269 Wingletye Lane, Hornchurch
P0722.16	Brooklands	Crow Metals, Jutsums Lane, Romford
P0821.16	Hylands	156 Osborne Road, Hornchurch
P0907.16	Hacton	Hacton Primary School, Chepstow Avenue, Hornchurch
P0979.16	Mawneys	5-7 Collier Row Road, Romford

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 25th August 2016

APPLICATION NO. P0325.16
WARD: St Andrew's
ADDRESS: 31 High Street
Hornchurch
PROPOSAL: Demolition of former Mecca Bingo Hall
DRAWING NO(S): Red Edged Site Location Plan (Scale 1:1250)
"RJ Demolition Limited" Demolition Statement
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

Date Received: 3rd March 2016
Expiry Date: 28th April 2016

BACKGROUND

The application was deferred at the Committee meeting on 30 June 2016 in order for the applicant explore the potential for adjusting the demolition proposal, with Members placing particular emphasis on examining the scope of retaining the front facade of the building.

Staff can report that this matter has been given consideration by the applicant, Lidl, and an additional report has been prepared and submitted. In summary the report states the following:

Lidl have carefully considered the proposed development and the Council's wish to retain the facade. The report states that Lidl have come to the conclusion that it would not be viable to retain the facade due to the following key reasons:

- Loss of original heritage value (through previous alterations to the building)
- No statutory protection of the building
- Viability issues and implications for the scheme

Further detail is provided in the submitted report and the above points are explored in the following extracts:

"LOSS OF ORIGINAL HERTIAGE VALUE

According to the Heritage Statement provided by Montague Evans for the pending demolition application (Ref no. P0325.16), the following architectural description applies to the former Towers Cinema building:

'The facade was originally symmetrical with the entrance through double doors, beneath a canopy with glass booths flanking the steps. The first floor had a double height space with horizontal banded windows within recessed astylar set of $\frac{3}{4}$ columns. There was a banded detail on the top of the building which mirrored the location of a cornice on a classical building.

The name 'Towers' was inset into the upper part of the facade. The main facade on High Street

was clad in faience, and all of the other external walls retained their exposed brick appearance. Later works covered this lettering and it was only in the later twentieth century that the original letters were once again exposed during further building works.'

The former Towers Cinema building is neither a statutory listed or locally listed building and as such over the years a significant number of changes have been made to the external appearance of the original building. These changes include:

- Removal (potentially covered) of the glass booths on the building frontage
- Addition of a wheelchair ramp
- Addition of modern style entrance doors
- Removal/ covering of the original glazed faience tiles and other decorative architectural features above ground floor level
- Removal/ Recladding of the original cinema canopy
- Signage and painting of the building frontage

These alterations, additions and changes arguably detract from the true architectural merit and historic interest of the existing building. There is a distinct lack of existing features which link the building back to its historic 1930s roots and therefore the building has lost a great deal of its original character. The only remaining feature is the 'Towers' High Street facade, located centrally in the building frontage, however attention is detracted from this feature due to subsequent painting of the building frontage and addition of a modern fascia sign advertising the Mecca Bingo Hall. The remainder of the building showcases unsympathetic and austere brick eastern and western elevations.

Further to this, the building is not located within a designated Conservation Area according to the Local Plan, so the loss of this building facade will arguably have no impact on other buildings of similar or complementary architectural style within the vicinity of the building or in the wider urban area. We understand from the Officer's Report for the pending demolition application that the Council do not believe that removal of the building would create unnecessary harm to the character of the streetscape. It is clear therefore that the significance of the historic building has not been fully retained and historic quality has diminished."

The report goes on to cover the second key point, outlining the following:

"NO STATUTORY PROTECTION OF THE BUILDING

As previously stated, the building is subject to an Asset of Community Value listing and the building was added to the Council's 'Community Assets' list on 13 June 2016, after being nominated successfully by the Save the Towers Cinema Building Action Group. The principle legislation associated with Assets of Community Value is the Localism Act 2011 and the Asset of Community

Value (England) Regulations 2012. The Assets of Community Value Policy Statement September 2011 sets out greater clarity on key aspects of the regulations relating to Assets of Community Value.

While we understand that inclusion of a building on the list of 'Community Assets' is a consideration in determining of a planning application, the policy statement document clearly

states that 'the provisions do not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership.' The key point to be drawn on here is the limited weight that is given to the importance of the heritage of the building by the decision to list it as an Asset of Community Value as opposed to affording it 'Listed Building' status under the National Heritage List for England. The Asset of Community Value provision cannot prevent demolition of a building, rather it allows community members to identify a building of community importance and help them to secure a 'community right to bid' should the owner decide to dispose of the listed asset. As we have set out above, Lidl have acquired the site in full and currently have no plans to seek its disposal.

We understand that a formal request was made to Historic England to achieve listing on the building. As previously mentioned, to date the building remains unlisted and excluded from Historic England's 'Listed Buildings' and we understand from the Officer's Report that this decision was taken by Historic England on account that losses to the original design of the building have been so significant that it does not merit national listing. The fact that the building is not listed shows that statutory weight has not been awarded to protect the building and therefore there is no emphasis placed on the building holding any significant heritage value.

While we appreciate that the building may be viewed with affection by community members and hold a local historic interest, we believe that there is not a strong planning case for retention of facade due to the fact the building has not been recognised as a building of architectural merit and there is no listed building status in place to justify retention of the building frontage. Further to this, we believe that substantial wider public benefit is to be gained by bringing a site which is currently vacant back into use through developing a new food store which would substantially outweigh any deemed loss of a locally historic asset."

Lastly, the third identified issue is discussed and the following extract from the report states:

"VIABILITY ISSUES AND IMPLICATIONS FOR THE SCHEME

If Lidl were required to retain the building facade, it will have implications for the viability for the scheme and could potentially jeopardise the introduction of a new food store to the site. This would be regrettable given the fact that a new food store would draw in more trade to the town centre, provide local employment and enhance the existing retail convenience provision of the district centre.

Lidl wish to demolish the building including the facade in order for them to be able to deliver a store that suitably fits their business model. Lidl have developed a successful and proven retail format which reflects their operational characteristics of a 'hard' discount seller within the convenience retail market. Lidl offer high quality products at low prices and their stores are limited to the type of convenience goods and services they sell. They provide a relatively limited range of products to allow them to offer discounted prices and remain competitive. Therefore due to the nature and scale of provision at Lidl stores, it is important that Lidl can follow the strict operational requirements needed to allow them to viably provide customers with this niche type of retail offer."

CONCLUSIONS

The report concludes that the building does not hold substantial architectural and historic importance to justify its retention, which is demonstrated through the limited weight afforded to it in planning terms by way of its lack of Listed Building status (both nationally and locally) and its subsequent listing as an Asset of Community Value. The conclusion goes on to state that in policy terms an emphasis has been placed on a 'community right to bid' as opposed to statutory protection of the building's features and therefore there is no planning policy restriction on demolition or removal of the building facade.

The report contends that retaining the facade will have substantial operational and cost implications for successfully bringing forward the new Lidl food store which could potentially compromise the wider benefits to the community. The report outlines that the wider benefits would include the introduction of additional retail convenience provision for the district centre which enhances the vitality and viability of Hornchurch district centre and provides important local employment opportunities.

The report also outlines Lidl's willingness to salvage the 'Towers' lettering from the facade and create a public art installation at street level. Lidl raise the point that this would help to integrate a piece of the site's past history within the new scheme and would create a focal interest on the frontage of the new store. A revised demolition method statement has also been submitted which sets out the accompanying detailed method for the removal of the lettering from the facade and its storage ready for re-use in the subsequent redevelopment of the site. An indicative elevation drawing has also been prepared demonstrating how the 'Towers' lettering could be used as part of a new Lidl food store.

The report originally presented to the committee on 30 June is replicated below.

SITE DESCRIPTION

The application relates to the former Mecca Bingo hall at 31 High Street, Hornchurch. The building, formerly known as the Towers Cinema, was constructed in 1935 and operated as a cinema until 1973 when it was converted to a bingo hall. The building has been vacant since late 2015. The site comprises the large former cinema building with a characteristic 1930's Art Deco frontage facing onto High Street. The building is set within the south western corner of the plot with an associated car park located to the north and east. The main access to the site is from High Street.

The land is designated in the LDF as being within the fringe area of the Hornchurch Major District Centre, although the site is also surrounded by residential accommodation to the north, south and west.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the demolition of the former Mecca Bingo hall at 31 High Street, Hornchurch.

Planning permission is required for the demolition of the building because the Council has issued an Article 4 Direction which removes Part 11, Class B permitted development rights, which ordinarily allow demolition without planning permission, subject to prior approval process.

At this stage no further details of any proposed redevelopment of the site have been provided and it is just the demolition of the existing building and the subsequent cleared site remediation works that are being considered.

An accompanying demolition method statement has been submitted which outlines that the site would be secured with hoardings prior to demolition. The demolition process would commence using high reach machines with hydraulic attachments. Excavators would be used when the building is at a safe height and the building would be brought down to ground level foundations. Concrete and brick would be crushed and left on site.

The applicant has stated that works would be carried out between the hours of 8:00 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturday, with no works taking place on Sunday.

RELEVANT HISTORY

- F0004.15 - Determination whether prior approval required for the demolition of the building at 31 High Street, Hornchurch.
Non standard dec 05-10-2015
- P1349.12 - New shopfront and roller shutter.
Apprv with cons 04-06-2013
- P0842.10 - Extension to existing smoking area including new giant umbrella and associated external upgrading works.
Apprv with cons 02-08-2010
- P0789.07 - To erect a side smoking shelter
Apprv with cons 18-06-2007
- P1150.96 - Paving works to front entrance area
Apprv with cons 15-11-1996

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 110 properties and 6 letters of objection and 6 letters of support have been received. The comments raising objections can be summarised as follows:

- A huge shame to lose such a historic part of Hornchurch. The 1930's Art Deco building is a part of Hornchurch, it would be awful to lose it completely.
- Access into Fairkytes Avenue would cause more congestion.

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

- The building has served its purpose and presents an opportunity to enhance the area.
- To leave the building as it is will invite vandalism, attract vermin, promote illegal drug use and generally create a stain on the face of Hornchurch and the redevelopment of the site to a supermarket would regenerate this end of High Street.
- We would much rather see a flourishing shop than a derelict building.
- The building is an eyesore.

The Cinema Theatre Association - object to the proposed demolition due to its architectural quality and heritage significance including both internal and external features in excellent condition. The building should be added to Havering's schedule of buildings of Local Heritage Interest and the Langtons Conservation Area should be extended to include and protect it. Through the Borough's corporate well-being role, the Council should pro-actively seek appropriate new uses for this fine, prominent building.

Twentieth Century Society - object to the proposed demolition as the building and maintain that it is a non-designated heritage asset of local importance and considerable architectural significance. The building is a fine example of a streamline modern style, with bold pilasters, carved panels and casement windows providing vertical contrast to the fluid cornicing and string courses which run horizontally across the facade. Internally the auditorium retains much of its original decoration. The proscenium arch remains in situ and is flanked on either side by full height niches with decorative grilles and balconettes. There is rich arabesque detailing to the skirting and dado, as well as strong horizontal moulding bands and detailing to the ceiling panels. So much of the original circle seating remains as do a number of polished walnut doors and brass fittings throughout. The comments go on to state that the Twentieth Century Society are concerned that the proposed demolition has not been supported by robust justification, or evidence that alternative retention and reuse strategies have been explored as required by the NPPF.

Greater London Archaeological Advisory Service (GLAAS) - the proposal is unlikely to have significant effect on heritage assets of archaeological interest. No further conditions are therefore necessary.

Local Highway Authority - no objection, recommended conditions relating to vehicle cleansing.

Environmental Health - no comments.

RELEVANT POLICIES

LDF

- CP04 - Town Centres
- CP08 - Community Facilities
- CP17 - Design
- CP18 - Heritage
- DC27 - Provision of Community Facilities
- DC32 - The Road Network
- DC55 - Noise
- DC61 - Urban Design
- DC67 - Buildings of Heritage Interest
- SPD02 - Heritage SPD

OTHER

- LONDON PLAN - 2.15 Town Centres
-
- LONDON PLAN - 7.4 - Local character
- LONDON PLAN - 7.8 - Heritage assets and archaeology
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposal is for the demolition of the existing building only so there is no increase in floorspace. As such the proposal is not liable for any Mayoral CIL payments.

STAFF COMMENTS

The main considerations relate to the loss of a characteristic 1930's art deco building, the impact on the character and appearance of the streetscene and the implications for the amenity of neighbouring occupiers during the proposed demolition process.

It is important to note that this application is solely considering the proposed demolition of the existing building and the subsequent site clearance works. At this stage no further details of any proposed redevelopment of the site have been provided.

BACKGROUND

The building, formerly known as the Towers Cinema, was constructed in 1935 and operated as a cinema until 1973 when it was converted to a bingo hall. In 2015, the building and associated land was sold to the Lidl supermarket group and the bingo hall ceased operation shortly afterwards. The building is currently vacant.

In September 2015 an application was submitted by the Lidl group seeking determination as to whether prior approval is required for the demolition of the building. In response the Council issued an immediate Article 4 Direction on 2 October 2015, removing permitted development rights for demolition, as there was an imminent threat the building could be lost at the same time that it was being considered by Historic England to be added to the List of Buildings of Special Architectural or Historic Interest.

On 13th November 2015, Historic England confirmed that the Secretary of State for Culture, Media and Sport had decided not to list the building based upon a the findings of a Historic England advice report, which assessed the building's historic interest and found that the criteria for listing were not fulfilled.

Nevertheless, in view of the level of detail submitted with the application for demolition and the potential for a significant adverse impact on local residents it was considered that prior approval of the method of demolition and site restoration would be required.

Notwithstanding this, permitted development rights for demolition of the building were removed by virtue of an Article 4 Direction, issued on 2 October 2015.

PRINCIPLE OF DEVELOPMENT

Policy DC27 seeks to protect community facilities from redevelopment stating that community buildings provide important facilities in which people can meet and interact. The policy recognises that they need to be close to places where people live to serve local communities. Policy CP8 sets out that the Council will ensure that a suitable range of community facilities are provided to meet existing and forecast demand. However, crucially the policy does not identify a Bingo Hall use as a community facility.

In terms of use class; the building at 31 High Street has a D2 assembly and leisure use. In its current guise there is no permitted change under the use class order to a community facility and as such planning permission would be required to change the use of the building to a recognised D1 community use.

Whilst it is acknowledged that the former Bingo Hall served a valuable leisure purpose within the local community for many years, ultimately Mecca Bingo was a commercial venture that decided to close and the building has remained vacant since November 2015. In planning terms the former Bingo Hall is not therefore regarded with the same significance as for example a community hall or education/health facility.

Taking into account the current landuse at the site and the relevant LDF policies, the proposed demolition of the former Bingo hall would not result in the loss of a community facility from a planning perspective. As such there is no objection in planning policy terms and the demolition of the building is considered to be acceptable in principle subject to the consideration of other key factors discussed later in the report.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The existing building at 31 High Street comprises a large and conspicuous detached structure, with a grand frontage and considerable scale and bulk. As such the former Bingo Hall forms a prominent feature in the streetscene along this section of High Street.

In terms of the site surroundings the building stands significantly taller than the two-storey parade of shop units immediately to the west of the site at 23-27 High Street. In addition the former Bingo Hall is considerably larger in terms of height and bulk in comparison to the shop units to the east at 35-37 High Street, which lie beyond the main car park entrance.

The wide car park entrance currently provides a sense of openness between the buildings and serves to break up the continuous built form which stretches out along High Street from Hornchurch town centre. Whilst it is recognised that the loss of the substantial building in this location would change the appearance of the streetscene significantly, Staff are of the view that its removal in terms of physical presence would not be unduly harmful to the character of the streetscene. Given that there is already an element of spacing between the buildings in this part of High Street it is not considered that the loss of the former Bingo Hall would unduly harm the rhythm of the built environment or result in an incongruous amount of spacing between the remaining buildings on High Street.

IMPACT ON AMENITY

The existing building is substantial and lies close to residential properties. As such the demolition has the potential to have a significant adverse impact on residential amenity.

The main impacts would be from noise and dust, but there could also be impacts from traffic moving materials from the site. There is currently no planning application for the redevelopment of the site following the demolition of the building, therefore, the site would need to be restored to a tidy state prior to the determination of any future planning application for new development.

The submitted demolition statement outlines that noise levels on site will be kept to a minimum

through the use of shears and concrete pulverisers. The concrete and brick would then be crushed and left on site, which would not result in additional traffic movement in the form of tipper trucks or heavy vehicles.

In addition the demolition works would be limited to between the hours of 8am to 6pm on Monday to Friday and 8am to 1pm on Saturday, with no demolition works carried out on Sunday. The use of Fairkytes Avenue for demolition works traffic will also be restricted to ensure any vehicle access is taken from High Street.

It is also noted that the demolition process would be undertaken over a temporary period and as such any disruption to the amenity of neighbouring residents would be for a relatively short period whilst the works are completed.

Demolition works aside, it is noted that the existing building is substantial and the proposal to demolish it would result in the removal of a significant mass within the rear garden environment for the properties along Fairkytes Avenue. It could therefore be argued that the removal of the building would improve outlook and amenity for these residents. Conversely, it is also recognised that residents may regard the building's long standing presence, its function and design to be a benefit as they are not currently overlooked from the site.

Taking above analysis into account, it is considered that the proposals would not adversely impact upon residential amenity.

HIGHWAY / PARKING

As the application is for the demolition of a building the proposal raises no immediate issues in relation to off-street car parking provision.

In terms of the impact on the surrounding highway network resulting from demolition vehicles, it is noted that the former Bingo Hall occupies the south west corner of the site, with the remaining area comprising a relatively flat tarmacked car parking area. It is considered that the site therefore offers a considerably generous amount of spacing to accommodate vehicles and materials associated with the demolition process.

OTHER ISSUES

HERITAGE CONSIDERATIONS

As mentioned previously, the building was assessed by Historic England in November 2015. After examining all the records and other relevant information and having carefully considered the architectural and historic interest of the building, the criteria for listing were not deemed to be fulfilled.

Whilst Historic England consider that the former Towers Cinema possesses local architectural and historic interest, it was not of the quality or intactness to merit national listing. In summing up their assessment Historic England stated that they already have a good understanding of cinemas of this period nationally and comparison with listed contemporaries demonstrates that the former Towers Cinema is not of their calibre despite the survival of some original features (most notably in the auditorium). However, in Historic England's view, losses to the original design are significant.

Therefore the building was not added to the statutory List.

Nevertheless, Historic England's accompanying assessment report does state that it is clear from responses to the listing case consultation that the building is viewed with affection by members of the local community. For this reason, and as an example of Kemp and Tasker's design for a local chain, the building may be considered to have local architectural and historic interest, despite the fact it does not meet the criteria for listing from a national perspective.

A series of buildings of local heritage interest are recognised by Havering as heritage assets, and are valued by the community for their contribution to the history, appearance, character and cultural role of Havering. Whilst it is noted that the former Bingo Hall includes characteristic 1930's Art Deco features and detailing, the building is not currently included in Havering's register of buildings of local heritage interest. As such it currently has no special protection as a locally listed building, but given the comments made by Historic England, it could reasonably be recognised for its value as a non-designated heritage asset.

The NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining a planning application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF also sets out useful guidance with regard to proposed development that would lead to the total loss of a designated heritage asset. Whilst it is not directly applicable in this instance, given the non-designated status of the former Bingo hall building, it does set out a series of criteria for Local Authorities to consider. Of particular note is the consideration as to whether the loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or the harm or loss is outweighed by the benefit of bringing the site back into use.

The site has been vacant since the Bingo Hall closed in November 2015 and given its unique characteristics it would not necessarily be easily adaptable to another commercial or retail use. It is also recognised that there is a likelihood for the building to remain unoccupied in the short to medium term, which could pose additional risks with the building suffering from deterioration, vandalism and the potential to attract anti-social behaviour. Consequently, these issues could result in a significantly negative and problematic impact on the quality of the local environment.

Although no further details of any proposed redevelopment of the site following demolition have been provided, it is acknowledged that the site has been purchased by the Lidl group, and the removal of the former Bingo Hall building would therefore appear to be critical to the future redevelopment of the site and associated car park area. As a result it is considered that the demolition of the former Bingo Hall would be the first stage in a process towards the comprehensive redevelopment of the site and could aid the potential for unlocking further regeneration benefits for the this part of Hornchurch town centre.

In addition, it is noted that the building is not within a Conservation Area. Had the building been located within one, then knowledge of what would replace the existing building would be a material consideration in judging whether demolition could be supported. As this building is outside of any Conservation Area, a similar assessment is not appropriate. In Staff's view, this limits the extent to

which Members could insist on seeing such details upfront. It is recognised however that this is a matter of judgement which Members may wish to consider.

ASSET OF COMMUNITY VALUE (ACV)

The Localism Act 2011 introduced a new right for the community to nominate to the Council certain local publicly or privately owned buildings (or land) for recognition as being an Asset of Community Value (ACV).

A building or land can be listed as an ACV if:

- The current primary use of the building/land or use of the building/land in the recent past furthers the social well-being or social interests (cultural, recreational or sporting interests) of the local community.
- It is realistic to think that now or in the next five years there could continue to be primary use of the building/land which will further the social well-being or social interests of the local community (this does not have to be in the same way as before - though it can be).

An application was received by the Council in February 2016 to list the former Bingo Hall building as an ACV. The application was made by an unincorporated group of 21 local people.

The Council has recently determined that it will accept the application and list the building as an ACV. What this listing does in practice is to put in place provisions to ensure that the community have an ability to express an interest and prepare a business plan/finance if the current owner (Lidl) decides to sell the building. There is an overall moratorium of 6 months involved if the owner decides to sell. The owner can sell to whoever they choose at the end of this 6 month period but they can sell to a community group at any time before then.

It is important to note that the ACV in itself does not prevent or stop demolition of the former Bingo Hall and the ACV only becomes effective if the owner decide to sell the building on.

At present, the listing of an ACV is not automatically treated as a material consideration when determining planning applications relating to the building/land. The Department of Communities and Local Government (DCLG) Guidance advises that it is a matter for the local planning authority to decide as to what degree of weight should be attached to any listing when assessing a planning application involving the building or land.

In this instance Staff are of the view that given the site has been purchased by the Lidl group, there is limited scope that the building will come up for sale again in the immediate future. As such the opportunity for the nominating community group or others to acquire the building for a future Bingo Hall, cinema or other versatile community group venue appears to have passed and as a result of these factors, Staff are of the opinion that the ACV listing should be given limited weighting in the overall assessment of whether the demolition of the building is acceptable in planning terms.

Staff recognise that this issue is a matter of judgement and invite Members to consider this issue carefully.

KEY ISSUES / CONCLUSIONS

In presenting this report, it is recognised that certain elements of the community have lobbied for the building's retention.

The building serves as a very visible local landmark and has architectural merit as well as a historical legacy for recreational use. This function has now ceased and attempts to have the building formally protected through listing due to its architectural and historic quality have not been supported.

In conclusion, Staff consider there is not an overwhelming planning case for the retention of the building when balancing this against the regeneration prospects for the town centre through a redevelopment of what is currently a vacant site. Staff neither consider that the demolition of the building would have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable and it is therefore recommended that planning permission be granted subject to conditions.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. 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.

3. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted demolition statement (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 demolition operations; 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. No access from Fairkytes Avenue

Fairkytes Avenue shall not be used by any works traffic during the demolition of the building hereby approved.

Reason:-

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

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 - 25th August 2016

APPLICATION NO. P0472.16
WARD: Emerson Park Date Received: 31st May 2016
Expiry Date: 2nd September 2016
ADDRESS: 269 Wingletye Lane
Hornchurch
PROPOSAL: Extension and conversion of garage.
DRAWING NO(S): Land Registry Site Plan - NGL 104943
2016:083:01
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

A call in has been received from Councillor Glanville on the grounds that there is no clear description as to what the workshop will be used for, which may give rise to noise and other pollution, and the French doors which open towards the adjacent property may also be a source of noise.

SITE DESCRIPTION

The application site comprises of a two storey semi-detached dwelling location within Sector 3 of the Emerson Park Policy Area. The application dwelling is constructed of red face brick with a detached garage set to rear of the house, of a similar finish. Parking is available to the front and side of the dwelling. The ground level slopes downhill from north east to south west within the site.

The site is bounded by a close board fence on either side at the rear of the property and the neighbouring property at No.267 has conifer trees within their garden along the boundary. A similar arrangement exists along the rear boundary of the site with 54 Sylvan Avenue. The surrounding area is characterised by single and two storey dwellings of various style and designs.

DESCRIPTION OF PROPOSAL

The application has been submitted seeking planning permission for an extension and conversion of the existing garage. The proposed extension would measure approximately 6m deep, 2.75m wide with an eaves line of 2.35m and an overall height of approximate 4.25m to the top of the pitched roof.

Two roof lights are proposed in the roof of the extension with glazed elevation to the rear. The converted garage and extension would be used for storage, a workshop and a study area with a toilet within the proposed extension.

RELEVANT HISTORY

ES/HOR 1077/52 - 1 of 33 houses - Approved.

CONSULTATIONS / REPRESENTATIONS

Neighbours were notified regarding the application. At the time of drafting this report, the neighbour consultation period had yet to expire but it is noted that one letter of representation was received with the comments summarised below. Members will be updated verbally at the Committee of any additional representations received.

- Overall size of the proposal and will be extremely dominant within the small plot.
- Suitable use for the plot - out of proportion.
- Proposal is out of character.
- Design, position and size of proposal will impact on the visual amenity and by the noise created.
- Loss of privacy.
- Noise and/or smell pollution.
- Foliage which would screen the proposal is bare three quarters of the year.
- Garden space is an area which should be enjoyed by all.
- Sense of enclosure from proposal and other extensions approved to other neighbouring properties.
- Will there be enough parking within the site once the garage has been converted.
- Plans show the proposal suitable for work or business in a residential location.
- Also, proposal could be used at a later stage as an annexe or living accommodation.
- Basic rights should be retained for residents and not just applicants.
- Reference to other planning applications and their impact.
- Outlined why was proposal not built closer to the house which would minimise the impact.

In response to the residents comments, all the comments will be taken into consideration, however, Staff are only able to assess the impact the proposal submitted and the other planning applications previously approved cannot be considered as part of this assessment. As with all planning applications, each application is determined on their individual merits.

Consequently, issues relating to noise, smells, disturbance or parking demand are not relevant to consideration of this application.

The Council's Highways Department has no objections to the proposal.

RELEVANT POLICIES

LDF

- DC33 - Car Parking
- DC61 - Urban Design
- DC69 - Other Areas of Special Townscape or Landscape Character
- SPD04 - Residential Extensions & Alterations SPD
- SPD05 - Emerson Park Policy Area SPD

OTHER

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

STAFF COMMENTS

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed converted garage would retain a garage door which would be visible from the street. It is considered the proposed garage conversion would not impact on the street scene.

The proposed extension to the garage would be to the rear of the existing garage and therefore would not be visible from the street scene but would be noticeable within the rear garden environment. The proposed extension to the garage would be on the same alignment and to the same height as the existing garage, 6m deep with an eaves line of 2.35m rising to an overall height of 4.25m.

The boundary adjacent to No.267 Wingletye Lane tapers and as result, although the existing garage is close to the boundary at the front the proposed rear elevation would be set off the boundary to the rear by approximately 0.8m. In addition, the proposed garage extension would be set off the rear boundary adjacent to No.54 Sylvan Avenue by a minimum of 7m.

From inspection of the site and its surroundings, it is noted that there are various styles and designs of sheds and garages along Wingletye Lane and the neighbouring gardens within Emerson Park Policy Area as a whole. Staff consider that the building, though quite long in combination with the original garage, satisfactorily integrates with its surroundings and is not unduly obtrusive. No objections are therefore raised to the development from the visual impact point of view.

IMPACT ON AMENITY

The proposed extension and conversion of garage would be located close to the boundary of No.267 Wingletye Lane, however, the proposal would be screened by the fence and neighbouring conifer trees. In addition, the proposed extension would be set off the boundary with No.271 Wingletye Lane and No.54 Sylvan Avenue by a minimum of 7m.

No flank windows are proposed and the half glazed timber door on the side elevation adjacent to No.271 would be sufficiently removed from the boundary not to have any adverse impact. Furthermore, there is a close boarded fence along the common boundary.

The proposed extension would have a fully glazed rear elevation which would look onto the rear boundary of the site adjacent to No.54 Sylvan Avenue. The proposal would be set off this neighbour's boundary by a minimum of 7m. It is considered the boundary treatment, the separation and distance and the foliage would be sufficient to mitigate the impact of the proposal.

As previously stated, the outbuilding has an eaves line of 2.35m rising to an overall height of 4.25m high. The roof of the outbuilding would be hipped away from both of the neighbouring properties on either side which reduces the potential impact on the neighbouring rear gardens in terms of light loss or overshadowing.

Staff consider the proposed conversion and extension of the existing garage would not unacceptably impact on the neighbouring properties and is acceptable from the neighbourliness point of view.

Safeguarding conditions to prevent the formation of any flank windows and to ensure the development is only used for ancillary use to the dwelling house and not for any trade or business are recommended in the event that planning permission is granted for this development.

HIGHWAY / PARKING

Although, the use of the garage will be lost, parking is available to the front and side of the dwelling house which will allow the Council guidelines for a minimum of two parking spaces for a property of this size to be comfortably met.

The Council's Highways Department has no objections to the proposal and no highway or parking issues are raised as a result of the proposal.

OTHER ISSUES

Concerns have been raised regarding the intended use of the proposed garage conversion and extension to the existing garage. The Council, as with all applications, accept any submission in good faith and assess them in respect to the information provided as part of the application.

Part of the existing garage would be used for storage and the other converted part as a workshop with the extension being used as a study which would be ancillary to the main dwelling house.

The applicant has highlighted on his application form that the proposal is to create an office space to store files and have a desk to enable working from home. The proposal will also be used for pleasure but it is clearly indicated on the application form that no clients will be visiting the property.

KEY ISSUES / CONCLUSIONS

The design of the proposed conversion and extension to the existing garage would be acceptable. Staff consider the proposal would not unacceptably impact on the amenity of the neighbouring properties and no loss of privacy would result.

The proposal is considered to be in accordance with the aims and objectives of the Residential Extensions and Alterations and Emerson Park Supplementary Planning Documents and Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD and an approval is recommended accordingly.

RECOMMENDATION

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

1. S 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. S SC32 (Accordance with plans)

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

Reason:-

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

4. SC33 (Incidental Use)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the garage(s)/workshop(s)/utility room(s)/ outbuilding(s) hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house and not for any trade or business nor as living accommodation.

Reason:-

To restrict the use to one compatible with a residential area, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. SC46 (Standard flank window condition)

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

Reason:-

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

INFORMATIVES

1. Non Standard Informative 1

The applicant is advised that this planning permission does not grant permission for any part of the development to encroach onto any property not within the applicant's ownership.

2. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 25th August 2016

APPLICATION NO. P0722.16
WARD: Brooklands **Date Received:** 18th May 2016
Expiry Date: 17th August 2016

ADDRESS: Crow Metals
Jutsums Lane
Romford

PROPOSAL: Construction of a platform office

DRAWING NO(S): Location Plan - Drawing No. 2912_PL01
Existing Site Plan - Drawing No. 2912_PL02
Existing Floor Plans - Drawing No. 2912_PL03
Existing Elevations - Drawing No. 2912_PL04
Proposed Site Plan - Drawing No. 2912_PL05
Proposed Floor Plans - Drawing No. 2912_PL06
Proposed Elevations - North & East - Drawing No. 2912_PL08
Proposed Elevations - South & West - Drawing No. 2912_PL09

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

CALL-IN

This application has been called in by Councillor Persaud on the basis that this site and use causes numerous problems to nearby residents including, but not limited to, parking issues in Crow Lane and Jutsums Lane; and general amenity impacts.

BACKGROUND

This application was presented to Members at the last Regulatory Services committee meeting on the 4th August 2016. Members resolved to defer determination to allow additional information to be presented. In this regard Members requested further information on the site yard and if the proposed office would in any impact on internal vehicle circulation.

Staff have reviewed the existing planning permission for the site use (application ref: P0962.11), and note that a swept path analysis was submitted with this application. Looking at the plans approved, as part of application ref: P0962.11, compared to the site now, it is noted that two original projections/extensions to the building, along the west facing elevation, have since been removed/demolished. The office proposed by this application would however be located where previously one of these projections used to be. The provision of an office, in this location, therefore in no way impacts on the internal vehicle circulation previously approved. The provision of the office would not accordingly result in a loss of space in the yard, when compared to the extant planning permission, and as such should not specifically give rise to vehicles waiting on the public highway to access the site. In respect of this, noting the partial demolition of the building which has taken place since planning permission was granted for the use, there is effectively more yard space in the site than originally deemed acceptable when planning permission was first granted.

In view of the above additional information and clarification presented, staff maintain the

recommendation that planning permission should be granted subject to conditions. Accordingly, the report as presented to Members previously is replicated below.

SITE DESCRIPTION

The application site benefits from planning permission allowing the recycling, processing, storage and distribution of scrap metal (excluding car stripping and breakages) - refer to the 'Relevant History' section of this report.

In respect of this and the site itself, the site is located off Jutsums Lane, on the junction with Crow Lane. The site is approximately 0.4ha in size and comprises a main building to the west, with a number of material storage bins along the northern and southern boundaries. The main entrance to the site is on the western side of Jutsums Lane.

Whilst this site forms part of a Secondary Employment Area within the Proposals Map accompanying the LDF, residential properties are located approximately 20m from the site on the opposite side of Jutsums Lane.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the provision of a platform office on-site. The office would measure 9m by 12.5m and would be 3.5m high. The office would however be elevated 4m above above ground, giving an overall height of 7.5m. The office would be supported by an external staircase providing access and is proposed to be constructed in metal cladding, as per the other building on-site. The corner of the office would be cut-off, on the corner where the office would overlook the site, to facilitate the creation of a triangular shaped balcony area. The office is proposed to be supported by windows on all four elevations, constructed in grey aluminium.

RELEVANT HISTORY

Enforcement Update: The Council has a number of active enforcement cases on this site relating to compliance with the current planning permission (ref: P0962.11) - noting that the variation of condition application, detailed below, has not been implemented (ref: P0993.12). With regard to this, enforcement action is being pursued with regard to the site layout and the provision of the temporary office buildings on-site, as existing; the staff car parking area; and the car wash which has been established. The Council's enforcement team are also, as part of these investigations, looking into complaints with regard to the use operating beyond the permitted opening hours.

A0028.16 - Advertisement consent for 6 x fixed rigid PVC signs
Awaiting Decision

P0993.12 - Variation of Condition 2 of P0962.11- relocation of vehicle access, including part removal of building, and changes to the external appearance of a building.
Apprv with cons 12-11-2012

P0962.11 - Demolition of part of building and two storey office building and the making good and change of use of the retained buildings to enable the relocation of "The Crows Metals" recycling business for the recycling, processing, storage and distribution of scrap metal (excluding car stripping and breakages) and installation of two weighbridges.
Apprv with cons 14-06-2012

CONSULTATIONS / REPRESENTATIONS

Anglian Water - No comments received.

Environment Agency - No comments to make.

Essex and Suffolk Water - No comments received.

Highway Authority - No objection.

London Borough of Havering Environmental Health - No objection.

National Grid - No comments received.

Thames Water - It is the responsibility of the developer to make proper provision for drainage to ground, waters courses or a suitable sewer. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the planning application.

Public consultation: 9 properties were directly notified of this application. The application was also advertised by way of site notice and press advert. Two letters of representation have been received, with one being signed by three residents of differing addresses. The letters of representation received raise objections to the development on the following grounds: a bigger office means more staff, more staff means more cars and additional parking issues; added on-site congestion; overlooking; and that the site has never been operated as originally permitted.

Staff comment: As will be noted above, within some of the representations received comments have been raised about the existing site use and compliance with the existing planning permission. Indeed one resident sought to re-submit the comments made when planning permission for the site use was first granted, back in October 2011. Whilst these concerns are noted, this application has to be assessed and determined on its individual merits. An update with regard to current enforcement action being pursued by the Local Planning Authority can nevertheless be found in the 'Relevant History' section of this report.

RELEVANT POLICIES

LDF

CP02 - Sustainable Communities
CP03 - Employment
CP10 - Sustainable Transport
CP11 - Sustainable Waste Management
CP17 - Design
DC10 - Secondary Employment Areas
DC32 - The Road Network
DC33 - Car Parking
DC52 - Air Quality
DC53 - Contaminated Land
DC55 - Noise
DC56 - Light

DC61 - Urban Design

W5 - General Considerations with regard to Waste Proposals

OTHER

LONDON PLAN - 4.4 - Managing industrial land and premises

LONDON PLAN - 5.16 - Waste net self-sufficiency

LONDON PLAN - 5.17 - Waste capacity

LONDON PLAN - 5.21 - Contaminated land

LONDON PLAN - 6.1 - Strategic approach

LONDON PLAN - 6.3 - Assessing effects of development on transport capacity

LONDON PLAN - 6.13 - Parking

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.14 - Improving air quality

LONDON PLAN - 7.15 - Reducing noise and enhancing soundscapes

LONDON PLAN - 8.3 - Community infrastructure levy

NPPF - National Planning Policy Framework

NPPW - National Planning Policy for Waste

PPG - Planning Practice Guidance

MAYORAL CIL IMPLICATIONS

Not applicable.

PRINCIPLE OF DEVELOPMENT

As previously alluded, the principle of this site use has been accepted with the granting of planning permission ref: P0962.11. With regard to this, the applicant has put forward this application stating that the new office would seek to improve on-site functionality and management. The provision would solely seek to support the existing use and would not introduce a new use to the site or specifically increase on-site activity. Accordingly, staff do not consider, in principle, that there is a land-use/designation reason to refuse this development from coming forward.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 of the Core Strategy and Development Control Policies DPD details that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

This site forms part of a Secondary Employment Area and it is considered that the area is strongly defined by warehouse style buildings; signage; and a heavy presence of parked vehicles. That being said the area is broken up by a number of nearby residential properties and Jutsums Park. The boundary steel palisade fencing and noise attenuation wall surrounding this site clearly seek to define the use of the site. It is considered that the site as existing exhibits general characteristics of a waste management site and a use linked with a high number of vehicle movements and activity.

Disregarding the temporary office buildings on-site as existing, noting that these do not benefit from planning permission, the office proposed as part of this application would facilitate a central hub for the site operator to co-ordinate operations. In terms of the design, the office building is proposed in metal cladding, similar in appearance to the existing building on-site and a number of buildings nearby. Staff accordingly have no objection to the proposed material palette for the office building. With regard to scale, it is considered that the office is of a modest size for the size of the site and the number of personnel on-site.

From a street scene perspective, and views from nearby areas, it is noted that the office building is proposed 4m above ground which effectively results in the building extending to some 7.5m (above ground level). With regard to this, whilst the office building would not be higher than the existing pitch of the building on-site, it would be higher than the building adjacent, along Crow Lane, and accordingly the top of the office building would therefore be visible. The building would also be visible from Jutsums Lane, noting the height of the noise attenuation wall and the existing style of entrance gates to the site.

Staff have reviewed this impact and do not consider that the development would significantly detract from the existing street scene of Crow Lane or Jutsums Road. It is accepted that the development would be visible from the aforementioned roads but in context of the site use and the scale and material palette of the development staff do not, on balance, consider the impact to be so sufficient to warrant refusal. Without prejudice, it is considered that a condition could be imposed requiring the windows on the southern elevation, those that would be visible from Crow Lane, to be either tinted or covered with a dark film to reduce the visibility of the proposed glazed elements. However, overall whilst it is not considered that the development necessarily enhances or improves the character and appearance of the local area, it is not considered that the development would significantly detract from it.

IMPACT ON AMENITY

Policy DC61 of the Core Strategy and Development Control Policies DPD, in addition to the above, details that planning permission will not be granted where a proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy and/or unreasonable effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments. In view of the proposed location of the office, the existing site use and the proximity to nearby residential development, it is not considered that the development would give rise to significant amenity impacts.

In respect of this, staff have reviewed guidance contained within the Council's Residential Extensions and Alterations SPD for an insight in terms of potential overlooking and loss of privacy. Although no actual figure is detailed within the SPD, in terms of an acceptable separation distance, it is noted that the proposed office would be circa 70m from the residential properties on Jutsums Lane. Whilst views from the office and balcony area may exist, as alluded above, it is not considered that any overlooking would be so severe as to be deemed contrary to policy and warrant refusal in context of this distance.

HIGHWAY / PARKING

With regard to access and parking, access to this site would be unaffected by the development and there would not be any loss of existing parking provision. The development would not result in

an intensification of the use or any additional employees. Accordingly, it is not considered that it would be reasonable for the Local Planning Authority to require the applicant to supply additional on-site parking.

It is accepted that this site is not currently being operated as per the existing planning permission (ref: P0962.11) but it is not considered that this renders it impossible or unacceptable to determine this application. Without prejudice, should planning permission be granted, an informative would be included which specifically states that the permission issued relates solely to the provision of a platform office on-site. The site layouts as shown on the submitted drawings are not to be read as approved with the site expected to operate as per the details and conditions attached to the parent permission for the site use.

KEY ISSUES / CONCLUSIONS

In context that the design of the development is deemed acceptable and that it is not considered that the development would significantly harm the character of the area or immediate street scene and/or give rise to significant amenity impacts, it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION

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

1. 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. Accordance with plans

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

Reason:-

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

3. Materials

All external finishes, for the development hereby approved, shall be as outlined in section 9 of the planning application form, dated 18/05/2016, and detailed on drawings titled 'Proposed Elevations - North & East', drawing no. 2912_PL08; and 'Proposed Elevations - South & West', drawing no. 219_PL09, to the satisfaction of the Local Planning Authority.

Reason:-

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

4. Window tinting (south elevation)

The windows on the south elevation of the platform office, hereby approved, and as shown on drawing titled 'Proposed Elevations - South & West', drawing no. 219_PL09 shall be tinted by at least 50% and thereafter maintained as such.

Reason:-

To safeguard the the character of the immediate area, and in-particular the street scene along Crow Lane, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. Hours of construction

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

Reason:-

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

INFORMATIVES

1. Approved plans informative

This decision notice relates solely to the provision of an platform office on-site. The approved drawings in no other way amend the approved details, site layout and existing conditions of planning permission ref: P0962.11. It would be expected that this decision notice would be read alongside the decision notice issued pursuant to application ref: P0962.11.

2. Approval - No negotiation required

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 25th August 2016

APPLICATION NO. P0821.16
WARD: Hylands
ADDRESS: 156 Osborne Road
Hornchurch
PROPOSAL: Single Storey Extension
DRAWING NO(S): 2351501/01
23515
2351501/02 Revision Letter: B

Date Received: 16th June 2016
Expiry Date: 2nd September 2016

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

CALL-IN

A call in has been received by Councillor Ganly on the grounds that it is in breach of the original planning permission that was granted for the extension. On the original application decision, it states clearly that no other windows or doors can be added, specifically, to the flank wall and there should be no deviation from the plans. It is going to effect the neighbours privacy, and could also lead to the new extension being used as a separate dwelling.

SITE DESCRIPTION

Residential, two storey semi-detached dwelling finished in a mixture of pebble-dash and face brick.

Parking for two vehicles on the driveway. Ground level slopes downhill from northwest to southeast within the site. The site is bounded by a mesh fence and vegetation adjacent to No.154 and by a close boarded fence and vegetation adjacent to No.158. The surrounding area is characterised by two storey dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

This is a re-submission of a previously approved application P0183.16 for a single storey rear extension which would measure 4m deep, 5.83m wide with a pitched roof with a side eaves line of approximately 2.67m rising to a ridge height of 3.8m.

The extension was under construction and the flank door had been added by the time the site was visited.

RELEVANT HISTORY

- P0903.16 - Single Storey Rear Extension
Withdrawn - Invalid 14-06-2016
- N0032.16 - Non material amendment to P0183.16 - side door on the extension
Withdrawn - Invalid 27-05-2016
- P0183.16 - Single Storey Rear Extension

CONSULTATIONS / REPRESENTATIONS

Three e-mails of representation were received, two from the same resident with their comments summarised below:

- The flank door should not be allowed.
- Concerns the semi-detached property has been created into terrace.
- Havering's heritage need to be safeguarded, reference to 1930's housing stock.
- No resident should be able to block access into their own garden.
- Did not object to the first proposal, even though it has had an impact on their property.
- The flank door would have an impact.
- Loss of privacy from the flank door.
- The new door way is not similar to original side gate way entrance.
- The side access has been reduced by the proposed extension which restricts access to other property.
- Concerned that the access and privacy issues will affect the properties desirability when selling.
- Application form is incorrect regarding applicant's address and has work started on site.

The above comments will be taken into consideration during the Impact on Amenity Section of the report.

It should be noted that a number of properties along Osborne Road have had extensions to the rear of the their properties and it should be noted that some of these extensions have been added under permitted development and as such the Council would have no control to these changes.

Comments made regarding the the safeguarding the Havering's heritage in relation to this 1930's stock is noted, however, these properties are not listed or within a conservation area and certain types of development can completed under permitted development and therefore would not require planning consent.

Neighbours were re-notified on the 25th July due to a technical issues with the initial consultation letters which were sent out. At the time of drafting this report, the neighbour re-consultation period had yet to expire. Members will be updated verbally at the Committee of any further representations received.

RELEVANT POLICIES

LDF

- DC33 - Car Parking
- DC61 - Urban Design
- SPD4 - Residential Extensions & Alterations SPD

OTHER

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

MAYORAL CIL IMPLICATIONS

Application is not CIL liable.

STAFF COMMENTS

This application is a resubmission of a previously approved planning application P0183.16 and the principle of development itself has been granted by the previous planning consent. This application has been submitted to regularise the changes below, in particular the inclusion of a flank door.

Similarly and concerns regarding the position of the boundary or disputes regarding boundary would not be a planning consideration but a civil matter.

This application differs from the previous scheme in the following key areas:

1. The inclusion of a new flank door adjacent to No.154 Osborne Road.
2. The removal of the parapet walls with gutters being provided on either side of the extension instead.
3. The width of the extension has been marginally reduced from 5.91m to 5.83m.

The effect of these changes will be assessed in the context of the following:

DESIGN / IMPACT ON STREET / GARDEN SCENE

No impact upon the street scene as the single storey rear extension would be mainly be visible from the rear garden. No objections are raised from a visual point of view as the proposal relates acceptably to the existing property.

IMPACT ON AMENITY

The depth of the extension complies with Council guidelines, however the height at 3.8m is higher than normally permissible. In this particular instance, there are mitigating circumstances that can be taken into consideration when assessing this application.

It is considered the proposal would not unacceptably impact on the amenity of Nos.154 and No.158 Osborne Road due to the following reasons. The 3.8m height is only achieved at the central ridge line and reduces down to an eaves level of approximately 2.67m either side. This is further mitigated by the separation distance to the boundary with No.154 Osborne Road which would be approximately 0.55m. The roof of the extension would be slope away from both neighbours and the previously proposed parapet walls have been removed to reduce the height closest to the boundaries.

Given these circumstances and mindful of the particular relationship to the neighbouring properties any light loss or overshadowing to the neighbouring property is considered to be modest and acceptable.

The flank door has been added prior to obtaining the relevant consent, the applicant mistakenly

believing that it could be added as a minor amendment. However, this is not the case as condition No.4 of previous consent prevents the addition of flank windows and doors without the prior consent of the Council.

However, this should not be interpreted as suggesting that any such opening would be unacceptable, rather that the potential impact upon amenity needs to be assessed in each instance. In this case the side access is shared between Nos.154 and 156 Osborne Road. It is staff's opinion that no material harm to amenity arises from the flank door as the glazing in the door is obscure glazed and there is a 1.8m gate and taller vegetation on the boundary of No.154 Osborne Road which prevents any overlooking. Staff consider that a refusal on a loss of privacy would be difficult to substantiate on appeal.

In relation to the concerns raised that the provision of a flank door to the rear extension would allow for proposal be used as a separate dwelling, separate planning consent would be required for the property to be divided into a separate unit of accommodation.

In all, the development is considered to fall within the spirit of adopted guidelines for householder extensions and the proposal is not deemed to be unneighbourly.

HIGHWAY / PARKING

The application site has a PTAL of 1b and there is parking available on the front driveway for potentially two vehicles. The proposal does not increase the number of bed spaces so parking demand is not affected. No highway or parking issues would arise as a result of the proposal.

KEY ISSUES / CONCLUSIONS

The proposal is considered to be in accordance with the above-mentioned policies and guidance and approval is recommended.

RECOMMENDATION

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

1. 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.

2. SC32 (Accordance with plans)

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

Reason:-

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

accords with Development Control Policies Development Plan Document Policy DC61.

3. SC34 (Obscure glazing)

The glazing in the flank door as shown on drawing no. 23515/02 Revision Letter: B shall be permanently glazed with obscure glass.

Reason:-

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

4. SC46 (Standard flank window condition)

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

Reason:-

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

INFORMATIVES

1. Approval - No negotiation required

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

2. Non Standard Informative 1

The applicant is advised that this planning permission does not grant permission for any part of the development to encroach onto any property not within the applicant's ownership.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 25th August 2016

APPLICATION NO.	P0907.16	
WARD:	Hacton	Date Received: 14th June 2016 Expiry Date: 9th August 2016
ADDRESS:	Hacton Primary School Chepstow Avenue Hornchurch	
PROPOSAL:	External canopy measuring 39m by 4m and up to 3.5m in height	
DRAWING NO(S):	Annotated version of drawing titled 'Ground Floor Plan' Annotated version of drawing titled 'Landscape areas - Option One' Annotated version of drawing titled 'Proposed site layout - area around the building and hard play area'	
RECOMMENDATION	It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report	

SITE DESCRIPTION

Hacton Primary School is located to the south of Chepstow Avenue/Central Drive, east of Goodwood Avenue, west of Plumpton Avenue and north of Fontwell Park Gardens, approximately 1.2km to the south of the centre of Hornchurch. The school has three access points from Chepstow Avenue/Central Drive, Plumpton Avenue and Goodwood Avenue. Beyond all of the boundaries of the site are residential properties and their associated gardens. The school site is not however located within a conservation area and the school is not listed.

In December 2015, as detailed in the 'Relevant History' section of this report, planning permission was granted for the re-development of existing Hacton Primary School to allow construction of new school buildings (Use Class D1) of approximately 3,324sqm GIA, with associated facilities and works including vehicular and pedestrian access and landscaping, and the phased demolition of existing school buildings at the site (application ref: P0984.15). Works with regard to this are ongoing, with it anticipated that the school will be ready to be occupied in December 2016.

DESCRIPTION OF PROPOSAL

This is an application for an external canopy measuring 39m by 4m and up to 3.5m in height. The canopy would extend across just over half of the southern facing elevation of the new school building. The canopy would not connect to the building but instead would be free-standing, supported by aluminium posts, powder coated in white. The canopy is proposed with a polycarbonate lean-to style roof, 3m at its lowest point and 3.5m at its highest.

An essential OFSTED requirement for Early Years pupils in Nursery and Reception is for children to have access to outdoor learning environments in all weathers. The applicant has suggested that the justification for the canopy, in this instance, stems from this requirement.

RELEVANT HISTORY

Q0231.15 - Discharge of Conditions 2, 5, 11, 12, 20, 21, 24 and 25 of P0984.15

Non standard dec 25-02-2016

P0984.15 - Redevelopment of existing Hacton Primary School to allow construction of new school buildings (Use Class D1) of approximately 3,324sqm GIA, with associated facilities and works including vehicular and pedestrian access and landscaping, and the phased demolition of existing school buildings at the site

Aprv with cons 02-10-2015

P2056.04 - Temporary car-parks

Part aprvd part ref 10-01-2005

P0279.02 - Alterations to existing fence.

Aprv with cons 12-04-2002

CONSULTATIONS / REPRESENTATIONS

12 properties were directly notified of this application. One letter of representation has been received. This letter raises objection to the development on grounds of loss of privacy, the unsightly appearance of the canopy and increase in noise. Comment is also raised about the construction of the replacement school and the impact of this on house prices, although, to confirm, house prices alone are not a material planning consideration.

RELEVANT POLICIES

LDF

CP08 - Community Facilities

CP10 - Sustainable Transport

CP15 - Environmental Management

CP17 - Design

DC26 - Location of Community Facilities

DC27 - Provision of Community Facilities

DC29 - Educational Premises

DC32 - The Road Network

DC33 - Car Parking

DC49 - Sustainable Design and Construction

DC55 - Noise

DC56 - Light

DC61 - Urban Design

DC62 - Access

Designing Safer Places SPD

Landscaping SPD

Sustainable Design and Construction SPD

Planning Obligation SPD

LONDON PLAN

3.16 - Protection and enhancement of social infrastructure

3.18 - Education facilities

5.3 - Sustainable design and construction

6.1 - Strategic approach

6.3 - Assessing effects of development on transport capacity

6.11 - Smoothing traffic flow and tackling congestion

6.12 - Road network capacity

6.13 - Parking

7.4 - Local character

7.6 - Architecture

7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

8.3 - Community Infrastructure Levy

National Planning Policy Framework

National Planning Practice Guidance

MAYORAL CIL IMPLICATIONS

As this application is for development providing education floorspace, as a school or college, the development is exempt from the Mayoral CIL.

STAFF COMMENTS

The NPPF, at paragraph 6, states that the purpose of the planning system is to contribute to the achievement of sustainable development. Specifically in relation to educational facilities (paragraph 72), it is noted 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 school promoters to identify and resolve key planning issues before applications are submitted.

Replicating this, policy 3.18 of the London Plan details that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes.

The canopy proposed by this application is in response to a particular need identified by the School and OFSTED. In consideration of this, and that the development would facilitate outdoor learning in all weathers, no principle objection is raised to the development coming forward. That being said, this is nevertheless subject to the proposal meeting and satisfying all relevant policy and guidance in respect of design, highways, amenity and any specific individual site constraints. An assessment of the aforementioned can be found below.

Policy CP17 of the LDF Core Strategy and Development Control Policies DPD details that the appearance, safety and accessibility of Havering will be maintained and, where possible, enhanced by requiring new development to:

- maintain or improve the character and appearance of the local area in its scale and design;
- provide a high standard of inclusive design so it is accessible to those who require access to it; and
- be safe and secure in its design and contribute to community safety.

Expanding on this policy DC61 states development must (only criteria relevant to this application have been detailed) harness the topographical and ecological character of the site, including the retention of existing trees and landscape features while providing appropriate landscaping; respond to distinctive local building form and patterns of development and respect the scale, massing and height of the surrounding physical context; complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings; provide structure by utilising and protecting existing views, vistas, panoramas and landmarks and creating new ones; be designed and oriented around the needs of pedestrians, cyclists and connectivity to the public transport network; and be durable flexible and adaptable.

The canopy proposed by this application would extend 39m along the south facing elevation of the school building. The canopy would be 4m deep and project to a maximum height of 3.5m. Staff consider this to be a relatively modest extension/new provision to the school site. It is considered that the canopy would have an acceptable relationship with the main elevational treatment of the school building and not detract from the design qualities or character of this. The proposed materiality of the canopy it is considered seeks to blend with the school whilst being relatively neutral, with a polycarbonate roof, in terms of dominance and presence.

With regard to the comments raised in the letter of public representation, policy DC61 of the LDF, in addition to that detailed above, states that planning permission will not be granted where a proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy and/or unreasonable effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments. Policies DC55 and DC56 furthermore seek to ensure that development proposals do not give rise to undue levels of noise or vibration or unacceptable light intrusion. Given the existing school use and the location of the proposed canopy it is not considered that the development would result in any amenity impacts at a level to warrant refusal.

The area proposed for the canopy is above the Nursery and Reception play areas, so whilst the canopy would facilitate some use of these areas during all weather conditions, it is not considered that the provision, in itself, is specifically bringing a noisy activity closer to the nearby residential properties than already permitted. It is furthermore not considered that the privacy of any nearby residential properties would be unduly impacted as a direct result of the canopy.

HIGHWAY / PARKING

It is not considered that this development gives rise to any issues in terms of highway efficiency or safety. The canopy would not result in additional teaching staff and/or vehicular movements to or from the School site and no change is proposed, as part of this application, to the School access or parking provision.

KEY ISSUES / CONCLUSIONS

It is considered that there is clear policy support within the NPPF, London Plan and Havering LDF for improved or new education facilities. The canopy, to which this application relates, would allow the School to meet OFSTED requirements and provide for outdoor teaching and learning all year round.

It is considered the canopy fits comfortably on the school site and with the currently being constructed school building. It is not considered that the provision of the canopy would have, in any way, altered the original recommendation to approve planning permission for the re-development of the school site overall and with this in mind it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION

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

1. 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. Accordance with plans

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

Reason:-

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

3. Materials

The development hereby approved shall be constructed in materials to match those outlined in response to question 9 of the planning application form, dated 26/05/2016, to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the development and the character of the immediate area, and in order that the development accords with the 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. **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 - 25th August 2016

APPLICATION NO. P0979.16
WARD: Mawneys **Date Received:** 10th June 2016
Expiry Date: 5th August 2016

ADDRESS: 5-7 Collier Row Road
Romford

PROPOSAL: Change of use of from retail shop (A1) to restaurant (A3). External flue to the rear. New shopfront.
The proposed opening hours are:
10:00 - 22:30 Mondays to Saturdays,
10:00 - 22:00 Sundays including Bank Holidays.

DRAWING NO(S): Rear Elevation (As proposed)
Front Elevation (As Proposed)
G/F Plan (As Proposed)
Section AA (As Proposed)
Site Location Plan
Front Elevation (As existing)
G/F Plan (As existing)
Section AA (As existing)
Rear Elevation (As existing)

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

CALL-IN

This application has been called in by Councillor Linda Trew for the following reasons.

- Collier Row has become less and less a retail high street
- Colier Row is evolving into a Caf  /Coffee/Restaurant environment
- Vacant shops are unattractive and harmful to the centre

SITE DESCRIPTION

The application site comprises of an A1 retail unit at ground floor, with residential units over and is situated in the Retail Core of the Collier Row Minor District Centre. The property backs onto a service yard which serves the parade.

The surrounding area includes variety of commercial uses at ground floor with residential over.

DESCRIPTION OF PROPOSAL

The Local Authority are in receipt of an application which seeks consent for a change of use from A1 (Retail) to A3 (Restaurant) and the erection of an external flue to the rear elevation.

A minor alteration to the shop-front is proposed, with the relocation of the main access to a position to the r/h side of the principal elevation. No other alterations to the shop-front are proposed.

This application is a resubmission of an earlier application, P0549.16 which sought a change of use from A1 to A3 and similar shop-front alterations. This application was refused due to it conflicting with policy. The resubmission shows little in the way of changes, save for alterations to the extract equipment and an increase in the internal seating/proposed covers.

RELEVANT HISTORY

P0549.16 - Change of use of from retail shop (A1) to restaurant (A3). External flue to the rear. New shopfront.
Proposed opening hours:
10:00 - 22:30 Mondays to Saturdays,
10:00 - 22:00 Sundays including Bank Holidays.
Refuse 01-06-2016

CONSULTATIONS / REPRESENTATIONS

The application was publicised by the direct notification of 80 nearby properties and 10 letters of objection were received. Some matters expressed are not considered to be material considerations however those relevant are listed below.

- Parking
- Noise and odour
- Excessive number of eateries
- Refuse

In addition to letters of objection, one letter of support was received which focused primarily on the difficulties in operation an A1/Retail use in the centre as a result of increased overheads and competition from chains.

Highways - no objection

Environmental Health - no objection subject to implementation of conditions

RELEVANT POLICIES

LDF

- DC16 - Core and Fringe Frontages in District and Local Centres
- DC23 - Food, Drink and the Evening Economy
- DC33 - Car Parking
- DC55 - Noise
- DC61 - Urban Design
- DC63 - Delivering Safer Places

STAFF COMMENTS

The issues arising from this application are the principle of the change of use, impact on amenity, and parking and highways issues.

Submitted plans show discrepancies relating to the extract equipment shown to the rear elevation.

PRINCIPLE OF DEVELOPMENT

The application site forms part of the Retail Core of the Collier Row Minor District Centre. Policy DC16 as set out in the Core Strategy and Development Control Policies Development Plan Document seeks to restrict the number of non-retail uses and also to prevent their grouping within the relevant frontage of which it forms part.

Policy DC16 states that planning permission for service uses, A2, A3, A4 and A5, will only be granted at ground floor level where the use provides a service appropriate to a shopping area, where the proposal would not result in the grouping of 3 or more adjoining A2-A5 uses and will not result in the proportion of non-retail uses exceeding 33% of the relevant frontage.

The change of use would provide a service appropriate to a shopping area and would not result in a grouping of three or more non-retail uses in a grouping, however it is observed that the relevant frontage comprises of only three units, two of which are double fronted.

Staff observed from site inspection and review of historic detail that the relevant frontage comprises currently of an A2 use, an A1 use and the application premises which is currently in A1 use. The percentage of non-retail uses within the relevant frontage amounts to 30%. Given the length of the frontage of the application unit, within the context of what is a relatively short parade it is clear that the change of use of 5-7 Collier Row Road would amount to a disproportionate percentage of the relevant frontage in non-retail use. Staff calculate this figure to be in the region of 83%. Staff acknowledge that this is a literal interpretation of the relevant frontage, however this is indicative of the wider centre as a whole which has become saturated with non-retail uses. Were the area of consideration to be broadened to the next run of commercial uses, the proposed change of use would still exceed the 33% threshold.

The applicant's supporting statement advises that the existing use has become economically unviable, owing to competition from other larger A1 uses (Tesco's and the new Aldi are cited as examples), however little in the way of substantive evidence has been provided to demonstrate that the premises is unmarketable as an A1 use, particularly if it were subdivided. During site inspection, staff observed that the vacancy rate of units within the centre as a whole is fairly low. The applicant advises that he has marketed the business over the last year but nothing further has been provided to support this claim or that any other A1 uses have been actively targeted.

Whilst there is presumption in favour of new business and sustainable economic growth within the NPPF, a measured approach must be taken in order to ensure the vitality and viability of a town centre is not harmed as a result.

In light of the concentration of other non-retail uses within not only the relevant frontage, but the southern side of Collier Row Road as a whole it is the opinion of staff that the introduction of another such use, particularly of the scale sought, would have a negative impact on the vitality and viability of the town centre and set a harmful precedent. The proposals are therefore contrary to Policy DC16 of the LDF Core Strategy.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 states that planning permission will only be granted where proposals would not result in unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.

The alterations proposed to the shop-front are minor and in keeping with the locale, therefore no objections are raised as to the resultant visual appearance of the application unit when viewed from the street.

It is considered that the extraction flue would not adversely affect the street scene, as it would be located to the rear of the parade. Staff observed during site inspection that air-conditioning units and other externally mounted equipment in situ, such that the flue would not appear incongruous.

IMPACT ON AMENITY

With regard to the impact upon neighbouring properties, consideration must be given to potential implications in terms of operating hours and noise and disturbance, particularly in view of the fact that there are residential properties located on the upper floors of the parade.

The application site is located in an area which is characterised by commercial premises where a certain level of activity and associated noise is to be expected, particularly given that there are late night uses in close proximity. Staff are of the view that a use such as that proposed is more suitably located within a town centre than within a predominantly residential setting and that the amenities of residents living within the town centre are not normally expected to be as high as for residents living in purely residential locations. As there is limited parking outside the premises, it is expected that patrons would park nearby and/or arrive on foot.

The application property lies within a relatively short parade of commercial premises which forms part of the retail core of Collier Row Minor District Centre. Collier Row Road is a heavily trafficked road with high ambient noise levels and it is reasonable to assume, given the location of the application site that the ambient noise level would remain reasonably high in the evening, Sundays and Bank/Public Holidays.

Staff consider the proposed hours of operation to be in keeping with that of the local area/other uses within the parade and as such raise no objections on these grounds.

Whilst no externally mounted extract equipment is in situ to the rear of the relevant frontage, industrial air-conditioning units and other equipment are present on the rear elevation. The operating noise was noted on site to be fairly high and windows at first floor level are single pane. The design of the extract equipment is such that it would discharge above eaves level. Whilst it would be located adjacent to the bathroom and kitchen window it is not considered that this would be of such harm to warrant a reason for refusal.

HIGHWAY / PARKING

The application site lies within an established row of shops within a town centre, sharing existing parking facilities with other shops in the surrounding area. The proposal is unlikely to have a

significant detrimental impact on the safety and efficiency of the local highway network, given there is currently metered parking along both sides of Collier Row Road in the town centre area.

No objections were raised by the Highway Authority.

KEY ISSUES / CONCLUSIONS

Whilst staff acknowledge the presumption in favour of new business and sustainable economic growth, LDF Policy is intended to ensure the vitality and viability of a town centre is not harmed by excessive groupings of non-retail uses. Little by way of substantive evidence has been provided by the applicant of attempts to market the property so likewise, there is little to justify a departure from policy.

For the reasons outlined within the report the proposed change of use is considered to be harmful to the retailing function of the town centre and therefore contrary to Policy DC16.

Refusal is recommended accordingly.

RECOMMENDATION

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

1. Refusal non standard condition

The proposed A3 use would contribute to a saturation of non-retail uses within the relevant frontage and within the wider Collier Row Minor District Centre, thereby significantly harming the character and function of the area and undermining the vitality and viability of the parade. The proposal is therefore contrary to Policies DC16 and DC23 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVES

1. Refusal - No negotiation ENTER DETAILS

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to the agent in writing July 2016.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

25 August 2016

Subject Heading:

P0953.16 - Whybridge Infants School, Ford Lane, Rainham - The existing demountable single classroom (9 metres by 10 metres) to be demolished and replaced with a refurbished demountable portakabin comprising 2 classrooms (14.8 metres by 9.8 metres) (received 7/6/16)

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

Adèle Hughes
Senior Planner
adele.hughes@havering.gov.uk
01708 432727

Ward:

South Hornchurch

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

This matter is brought before committee as the application site is Council owned and objections have been received. The application seeks planning permission for the existing demountable single classroom (9 metres by 10 metres) to be demolished and replaced with a refurbished demountable portakabin comprising of two classrooms (14.8 metres by 9.8 metres). Staff conclude the proposal to be acceptable. The application is recommended for approval 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 - The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 10 of the application form unless otherwise agreed in writing by the Local Planning Authority.

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

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this 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. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

INFORMATIVE

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 application site is Whybridge Infants School, Ford Lane, Rainham. The site is bounded by a mixture of single and two storey detached, semi-detached and terraced residential properties with associated rear gardens. The replacement demountable portakabin would be sited in the same position as the existing portakabin, which is adjacent to the rear gardens of neighbouring properties in Harlow Road and Ford Lane.

2. **Description of development:**

- 2.1 The application seeks permission for the existing demountable single classroom (9 metres by 10 metres) to be demolished and replaced with a refurbished demountable portakabin comprising two classrooms (14.8 metres by 9.8 metres) at Whybridge Infants School. The replacement portakabin would have a height of 2.7 metres and be sited in the same position as the existing one. The space created would provide two classrooms, a lobby, toilets and stores. The portakabin would be located between approximately 12 and 16 metres from the north western boundary of the site. There will be an additional 30 children and two teachers. The portakabin would be used between 8am and 5.30pm Monday to Friday.

3. **Relevant History:**

- 3.1 P1334.91 - Erection of demountable building - Approved.

4. **Consultations/Representations:**

- 4.1 The occupiers of 30 neighbouring properties were notified of this proposal. Eight letters of objection were received (four of which were from two addresses) with detailed comments that have been summarised as follows:
- Noise created within the portakabin. Suggested appropriate sound insulation.
 - Loss of privacy and overlooking from the existing fence between the application site and the rear gardens of neighbouring properties. Suggested the use of a bamboo screen.
 - Increased traffic and congestion.
 - Queried if the number of students will be increased.
 - Parking.
 - Access.
 - Pedestrian and highway safety.

4.2 In response to the above, comments regarding overlooking and loss of privacy from the existing boundary treatment are not material planning considerations. The remaining issues will be addressed in the following sections of this report.

5. **Relevant policies:**

5.1 Policies CP8 (Community needs), CP17 (Design), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car parking), DC34 (Walking), DC35 (Cycling), DC55 Noise), DC61 (Urban Design) and DC62 (Access) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 3.18 (Educational facilities), 6.13 (Parking) and 7.4 (Local character) of the London Plan and Chapters 4 (Promoting sustainable transport), 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework are relevant.

6. **Staff Comments**

6.1 This proposal is put before the Committee owing to the land being Council owned and objections being received. The issues arising in respect of this application are the impact on the streetscene, amenity issues and parking and highways implications.

6.2 **Principle of Development**

6.2.1 The proposal is for the existing demountable single classroom to be demolished and replaced with a refurbished demountable portakabin comprising two classrooms. The proposal is acceptable in principle and complies with LDF Policy DC29.

6.3 **Design/impact on street/Garden scene**

6.3.1 It is considered the replacement demountable portakabin would not be harmful to the streetscene, as it would be sited in the same position as the existing portakabin, which is located to the rear of the school car park. The proposed portakabin would be partly screened by the single storey nursery building and Whybridge Infants School, which would help to mitigate its impact. The proposed portakabin is single storey and relatively low in height at 2.7 metres with a flat roof, which minimises its bulk. The proposed portakabin would be located between approximately 12 and 16 metres from the north western boundary of the site. Overall, Staff consider that the overall proportions and height of the proposed demountable portakabin would integrate satisfactorily with the existing school and nursery buildings and would have no material impact on the wider streetscene.

6.4 **Impact on amenity**

6.4.1 It is considered that the demountable portakabin would not be harmful to residential amenity, as it is single storey, has a flat roof with a height of 2.7 metres and would be between approximately 12 and 16 metres from the north western boundary of the site. In addition, the proposed portakabin would be

sited in the same position as the existing portakabin, which is located to the rear of the school car park. The portakabin would be partly screened by the single storey nursery building and Whybridge Infants School, which would help to mitigate its impact. Staff consider that the proposal would not create any additional overlooking or loss of privacy over and above existing conditions and taking into account the separation distances above.

6.4.2 Environmental Health do not consider it to be reasonable or appropriate to place a condition in respect of sound insulation given the proposal consists of a demountable portakabin, as opposed to a building of solid construction. The portakabin would be used by Whybridge Infants School between 08:00 to 17:30 Monday to Friday. It is considered that these hours are deemed to be acceptable, as they are concentrated during the day time, (as opposed to very early morning or late evening). In addition, the proposed portakabin would be used during term time, which minimises the potential for noise and disturbance during the school holidays.

6.4.3 It is recognised that an additional thirty children and two staff would increase noise and disturbance, although this would be balanced against pupils utilising the whole of the school site. Given the existing use of the site as a school and the existence of a portakabin in the same position (albeit a smaller one) it is not considered the increase in pupil and staff numbers would result in a material change in the character or use of the site sufficient to justify refusal on grounds of noise and disturbance.

6.4 Highway/parking issues

6.4.1 Whybridge Infants School is located in PTAL zone 1b. There are 26 car parking spaces on the site. Whybridge Infants School will maintain the pattern of arrivals and departures. Whilst the increase in pupil and staff numbers has the potential to increase vehicle trips to and from the school, it is not considered that this will significantly impact upon the use of the highway.

7. Conclusion

7.1 Staff are of the view that demolishing the existing demountable single classroom and replacing it with a refurbished demountable portakabin comprising two classrooms at Whybridge Infants School is acceptable, would not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. In the context of the school site as a whole it is not considered this proposal would materially increase noise and activity over the existing levels. It is considered that the proposal would not create any highway or parking issues. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as owner of the site.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 7/6/2016.

REGULATORY SERVICES COMMITTEE

REPORT

25 August 2016

Subject Heading:

**P0884.16: Rise Park Infant School,
Annan Way, Romford**

**Single storey extension to reception
area. (Application received 25 May
2016)**

Ward:

Pettits

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

**Stefan Kukula
Principal Development Management
Officer
stefan.kukula@havering.gov.uk
01708 43 2655**

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 a small single storey extension to the existing reception area at Rise Park Infant School.

The proposal is considered to be acceptable in all material respects 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 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. Matching Materials

All new external finishes shall be carried out in materials to match those of the existing building, except where indicated otherwise on the approved plans.

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.

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 application site relates to Rise Park Infant School, Annan Way, Romford, located on the north side of Pettits Lane North. The school comprises of a relatively large campus, including a junior school, consisting of several single storey and two storey buildings to the east with surrounding playground areas and grassed playing fields to the west.
- 1.2 Vehicular and pedestrian access to the school is via Annan Way and the site is surrounded by residential dwellings adjoining the rear garden boundaries of houses at Pettits Lane North, Ayr Way, Ayr Green and Wallace Way.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the erection of a single storey extension to the existing Infant School reception area.
- 2.2 The proposed extension would involve a relatively minor addition to the southern elevation of the Infant School block, infilling an area of approximately 40 square metres around the existing reception and entrance area. The extension would include a partially glazed frontage, large glazed double doors and low profile flat roof design at a height of 2.6 metres.

3. Relevant History

- 3.1 P1346.14 - Re-commissioning existing Pedestrian access from Pettits Lane into school, including construction of new fenced off holding area - Approved, 9 April 2015.

P1589.14 - Demolition of three exterior stores and the erection of a single storey building comprising 4no. classrooms and toilets and the erection of a single storey studio as an extension to the existing building - Approved, 13 April 2015.

P0484.14 - Installation of an external play area with the construction of timber play apparatus surrounded by rubber floor surfacing - Approved, 1 August 2014

P0549.13 - Single storey infill extension to form new staffroom - Approved, 28 June 2013

P1443.12 - Single storey classroom building with external play area with canopy over and 6 extra car parking spaces close to the Annan Way entrance - Approved, 26 March 2013

D0049.12 - Certificate of lawfulness for single storey extension to the front entrance of the school - Approved

D0181.11 - Certificate of lawfulness for a single storey extension - Approved

4. Consultations/Representations

4.1 Notification letters were sent to 59 properties and 1 representation has been received. The comments can be summarised as follows:

- The proportion of the glazing in the extension is not consistent with an extension at a neighbouring residential property.
- There have been numerous extensions and new buildings on the site which have blighted the peace and cleanliness of the closest residents for the last 3 summers and now and this would inflict even more.

4.2 In response to the above comments: it is noted that issues of disruption during construction have been raised, however, this is not considered to be a material planning consideration on which a refusal could be based. In any event the proposed extension is of a small scale and its construction would involve relatively minor building operations. Issues in terms of the design and appearance of the extension are discussed in the following sections of the report.

4.3 The following consultation responses have been received:

- The Local Highway Authority - no objection.
- Environmental Health - no comments.
- Education - no comments.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Facilities), DC34 (Walking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Policies 3.18 (Education Facilities), 5.3 (sustainable design and construction), 6.9 (cycling), 6.10 (walking), 7.3 (designing out crime) and 7.4 (local character) of the London Plan, are material considerations.
- 5.3 The National Planning Policy Framework, specifically Sections 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development at the site, the impact on the character of the surrounding area and on the amenity of the surrounding residential properties as well as the implications for highway safety.

Principle of Development

- 6.2 Policy DC29 states that the Council will ensure that the provision of primary education facilities is sufficient to meet the needs of residents by, amongst other things, seeking to meet the need for increased school places within existing sites.
- 6.3 The proposal represents an expansion in the school floor space of approximately 40 square metres to add required facilities associated with the safe operation of an existing school use. The proposal is considered to be a necessary expansion in order for the school to continue to meet the needs of residents as well as future demands from population changes.
- 6.4 On this basis the proposal is considered to be policy compliant in landuse terms and is regarded as being acceptable in principle.

Design/Impact on Street/Garden Scene

- 6.5 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.6 The proposed extension would be located over 55 metres from the nearest section of the site boundary. The proposed reception area extension would

infill a shrub bed planting area directly adjacent to an existing projecting section of the building. As a result the extension would be absorbed into the massing of the school block and would not be clearly visible from vantage points outside of the school campus. In addition, the proposed design would match the character and appearance of the adjoining block. Overall, in terms of its scale and massing the extension would form a relatively minor addition in comparison to the bulk and height of the existing school building.

- 6.7 It is not considered that the proposal would result in any undue impact on the appearance of the streetscene and would serve to maintain and enhance the character of the local area in accordance with policy DC61.

Impact on Amenity

- 6.8 The proposed single storey extension will be located over 55 metres from the garden boundaries with the nearest residential properties at Annan Way and Ayr Way.
- 6.9 Given the distances as well as the relatively minor scale of the development, the proposal presents no issues in relation to the residential amenity of neighbouring occupiers and is therefore considered to be in accordance with policy DC61.

Environmental Issues

- 6.10 The site forms part of a school campus as such there are no historical contaminated land issues associated with the land.
- 6.11 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 6.12 The proposal is not considered to give rise to any significant noise issues subject to conditions required by Environmental Health.

Parking and Highway Issues

- 6.13 Given the location of the proposed development it would not result in any implications for the existing vehicular or pedestrian access to the school or parking arrangements for the site.
- 6.14 The Local Highway Authority has raised no objection in relation to the proposal and it is therefore considered that the access arrangements are acceptable and would not result in highway safety issues.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. The proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the street scene nor would it result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be approved subject to conditions.

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.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 26 May 2016.

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REGULATORY SERVICES COMMITTEE

25 August 2016

REPORT

Subject Heading:

**P0920.16: 177 and 179 Mawney Road,
Romford**

**Erection of 1no. three-bedroom house
within the rear gardens of 177 and 179
Mawney Road. (Application received 1
June 2016)**

Ward:

Mawneys

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

**Stefan Kukula
Principal Development Management
Officer
stefan.kukula@havering.gov.uk
01708 43 2655**

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 erection of 1no. three-bedroom house within the rear gardens of 177 and 179 Mawney Road..

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 132 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £1780.00 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £6,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

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

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

4. Landscaping

No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

5. Parking Provision

Before any part of the dwelling hereby permitted is first occupied the car parking provision as indicated in drawing 'M.R.P101' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

6. Alterations to Public Highway

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

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

7. Construction Methodology

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

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

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

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

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

8. Hours of Construction

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

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

9. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, roof extensions or roof alterations shall take place and no outbuildings or other means of enclosures shall be erected within the rear garden area 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.

10. Flank Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no window or other opening (other than those shown on the submitted and approved plans), shall be formed in the flank wall of the building 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.

11. Obscure Glazing

The proposed first floor roof light windows in the north elevation, namely the bedroom windows, shall be permanently glazed with obscure glass.

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

12. Refuse and Recycling

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

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

13. Cycle Storage

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

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use

commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

14. Boundary Fencing

The proposed new dwelling shall not be occupied until details of all proposed walls, fences and boundary treatment have been submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

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

15. Contaminated Land

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

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

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

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

d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a “Verification Report” that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

16. Contaminated Land (2)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a ‘Verification Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

17. Accessible and Adaptable Dwellings

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.

18. Pedestrian Visibility Splay

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

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

19. 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.

20. Water Efficiency

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

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

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £1780.00 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. Changes to the public highway (including permanent or temporary access) Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.

Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

4. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed

to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

5. 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.
6. Before occupation of the residential unit hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Call-in

- 1.1 The application has been called-in to committee by Councillor Linda Trew on the grounds that she believes that the proposal represents an over development of the site, and a public nuisance, depending on who the tenants will be as the two neighbouring properties owned by the applicant are currently used for multi occupancy, which includes young offenders, necessitating the need for police visits during all times of the day and night. In addition, there are concerns with regard to the access arrangements.

2. Site Description

- 2.1 The application relates to land at the rear of 177 & 179 Mawney Road, Romford, forming a backland plot which backs onto the residential cul-de-sac of Amberley Way. No.s 177 & 179 Mawney Road are two storey

detached houses and the surrounding area is characterised by predominantly two-storey detached and semi-detached properties.

- 2.2 The site is not located within a conservation area or classified under any specific land allocation in the LDF.

3. Description of Proposal

- 3.1 The application is seeking planning permission for the erection of 1 no. three-bedroom house within the rear gardens of 177 and 179 Mawney Road.

- 3.2 The proposal would involve the demolition of the existing single storey rear outbuilding and the partition of the western sections of the rear gardens of No.s 177 & 179 Mawney Road. The proposed detached house would be positioned centrally within the plot and orientated with the frontage facing east towards the rear of 177 Mawney Road.

- 3.3 The proposed dwelling would measure 8 metres in width at the widest point and 8.5 metres in depth. The building would incorporate an unusual gullwing style roof design with a crown ridge at a height of 4.9 metres, giving the first floor level a mansard type appearance.

- 3.4 The new dwelling would be accessed from Mawney Road through the formation of an access road adjacent to the southern flank elevation of No. 177 and the rear garden boundaries of the neighbouring properties at Marlborough Road. The access road would lead through to a turning head and parking area providing a total of 2no. off-street residents car parking spaces located adjacent to the rear garden boundaries of the donor properties.

4. Relevant History

- 4.1 P1835.15 - Erection of 2no. semi-detached houses within the rear gardens of 177 and 179 Mawney Road - Refused 17 May 2016

P1297.10 - Demolition of the existing single storey bungalow and construction of a new two storey detached dwelling house - Approved 28 October 2010

P1825.05 - Two storey side & rear extension. 1st floor rear extension. Single storey front extension - Refused 30 November 2005

P2220.03 - Parking of motor vehicles - Refused 21 January 2004

P1479.02 - Part change of use to mixed use as residential and commercial (storage of vehicles) - Refused 13 December 2002

5. Consultations/Representations

5.1 Notification letters were sent to 31 properties and 10 representations have been received. The comments can be summarised as follows:

- Loss of privacy and overlooking.
- Loss of light and overshadowing.
- Overdevelopment of the site/unsuitable location and would set a precedent.
- Loss of side garden wall presents a security risk to surrounding properties.
- Concerns that the dwellings could be used as HMOs or accommodation for people with special needs, resulting in additional noise and disturbance.
- Increase in traffic and car parking resulting in congestion on surrounding roads.
- Impact on social cohesion due to the high density of occupants within a small area.
- Removing natural drainage resulting in a risk of flooding.
- Noise and disturbance and smells due to the additional properties.
- Unsuitable access and a danger to highway safety due to the proposed access arrangements at Mawney Road.

5.2 In response to the matters raised above; the proposal would create a three-bedroom family dwelling, which according to the application form would comprise market housing. In terms of the perceived security risk to neighbours, a condition will be imposed requiring the submission of boundary treatment details. Staff will be looking to ensure that 2 metre high fencing is installed where the site adjoins the rear gardens of the neighbouring houses in accordance with 'Secured By Design' standards. The Council cannot control the potential future purchase of the property or its tenancy if the property were to be rented. Each application is considered on its own merits. Issues in relation to the impact on the residential amenity of neighbouring occupiers, the character and appearance of the rear garden setting, and the impact on highway safety are discussed in the following sections of the report.

5.3 The following consultation responses have been received:

- Thames Water - no objection, recommended informatives relating to waste water, surface water drainage and water.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Environmental Health - no objection, recommended a standard condition relating to contaminated land precautions.
- Local Highway Authority - no objection recommended standard conditions in relation to pedestrian visibility splays, vehicle access and vehicle cleansing.

6. Relevant Policies

- 6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 6.2 Other relevant documents include the Residential Design SPD, Landscaping SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 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), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (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) and 7 (Requiring good design), are relevant to these proposals.

7. Staff Comments

- 7.1 The main considerations relate to the impact on the character and appearance of the surrounding area, the implications for the residential amenity of future occupants and occupants of neighbouring houses and the suitability of the proposed parking and access/servicing arrangements.
- 7.2 This application follows the refusal of planning application P1835.15 in May 2016. The previous application sought the demolition of the rear outbuilding and the erection of 2no. semi-detached houses. The refusal grounds cited that the proposal would appear as an incongruous and unacceptably dominant, overbearing and visually intrusive feature in the rear garden setting harmful to the amenity of neighbouring occupiers and the character and appearance of the surrounding area.
- 7.3 In comparison to the previously refused scheme for a pair of semi-detached houses the current application is for a one dwelling development and has sought to reduce the overall scale, bulk, height and massing of the proposed building.

Principle of Development

- 7.4 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.
- 7.5 Under the provisions of the NPPF there is no priority given to garden land as a re-developable brownfield site. However, in terms of the Local Plan, the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is within a predominantly residential area.
- 7.6 On this basis the proposal is considered to be policy compliant in land use terms and its continued use for domestic residential purposes is therefore regarded as being acceptable in principle.

Density/ Layout

- 7.7 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.
- 7.8 The proposal would provide 1no. residential unit at a density equivalent to approximately 8 dwellings per hectare. This results in a very low density, far below the aims of Policy DC2 which suggests that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this location.
- 7.9 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.
- 7.10 The proposed dwelling would meet the internal floor space standards for three-person two-bedroom two-storey houses. The bedrooms would also comply with the minimum requirements set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with the general principles of the technical housing standards and the house would provide an acceptable amount of space for day to day living.
- 7.11 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.

- 7.12 An area of approximately 300 square metres of private amenity space would be set out to the sides and rear of the new house. It is considered that the amount of private amenity space proposed in the development is generous and adequate for the requirements of a three-bedroom house.
- 7.13 The development would retain rear gardens areas of 62 square metres at No.177 and 143 square metres at No.179, which is considered to be acceptable.

Design/Impact on Streetscene

- 7.14 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.
- 7.15 As with the previous proposal for two dwellings the proposed house would be positioned centrally within the site, albeit with a significantly reduced footprint. The contemporary gullwing roof design with the crown ridge would make the building some 1.8 metres lower than the height of the refused scheme. As such in comparison to the previous scheme, the revised proposal would form a significantly less prominent feature in terms of its visual impact, particularly from the rear of houses and gardens of the neighbouring properties. As a result it is considered that the revised scheme would sit more comfortably within the rear garden setting and would not in this instance create an unacceptably dominant and visually intrusive feature.
- 7.16 Sections of the dwelling would be visible above the 2 metre high boundary fencing to the west of the site when approaching along Amberley Way. Nevertheless, the appearance of the proposed dwelling would be dwarfed to some extent by the adjacent larger houses and as such would appear subservient within this setting.
- 7.17 As such it is considered that the proposed house would be more proportionate to the limited size of the site and the tight boundary constraints of what is a relatively small plot.
- 7.18 It is acknowledged that the contemporary design of the proposed dwelling is unusual. However, as a balanced judgement staff are of the view that the building would not be unduly prominent within the Mawney Road or Amberley Way streetscene. In addition, the proposed development would tidy up the site and enhance the character and appearance of the rear garden setting, whilst offering a good quality contemporary design that incorporates innovative and bespoke solutions to address the previously identified constraints and issues.
- 7.19 It is therefore considered that on balance the previous refusal reasons in relation to the size and scale of the proposed dwellings and the impact on the rear garden setting have been suitably addressed and the revised

proposal would serve to maintain and enhance the character and appearance of the surrounding area in accordance with policy DC61.

Impact on Amenity

- 7.20 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 7.21 The previous scheme was refused on the grounds that the height, bulk, mass and position of the pair of dwellings close to the boundaries of the site would result in a dominant, overbearing, un-neighbourly and visually intrusive feature in the rear garden environment.
- 7.22 On balance and taking into consideration the amendments to the scheme which have reduced the overall height, scale and massing of the proposed house and positioned the building further away from the garden boundaries; it is not considered that the proposal would result in an undue impact on the outlook and amenity of the neighbouring occupiers in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.
- 7.23 The development would remove an existing large detached outbuilding which is positioned up against the rear garden boundaries the neighbouring houses at 34 Amberley Way and 18, 20 & 22 Marlborough Road. The new dwelling would be of a reduced scale and bulk and positioned some 7 metres away from the boundaries with these neighbouring properties.
- 7.24 In terms of privacy and overlooking the windows in the front elevation of the proposed dwelling would be orientated towards the rear of the donor properties some 18 metres away. Outlook from the ground floor windows on the northern and western flanks would be screened by the boundary fencing. A first floor bedroom window on the western elevation would be positioned some 8.7 metres at an oblique angle from a first floor window the side elevation of 34 Amberley Way, which serves secondary room. Given the combined distance and angle, and that a habitable room would not be affected, this relationship is considered to be acceptable in this instance. In addition, the outlook from this window would be no different from what could be seen from the street in Amberley Way.
- 7.25 The first floor bedrooms would be served by a series of roof lights installed along the sloping roof section. Bearing in mind the roof form and floor to ceiling height there is some concern that these windows would afford views over the neighbouring gardens to the north. Should members wish to

approve the application these windows will be restricted by condition to be obscure glazed to prevent overlooking.

- 7.26 On balance staff are of the view that the proposed development would not present issues in relation to privacy and overlooking in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.
- 7.27 It is acknowledged that there would be comings and goings to the new dwelling and potentially an increased use of the garden areas adjacent to 34 Amberley Way, but the existing outbuilding in use as a hobby, games and garden room could generate a similar level of ambient noise particularly in the summer months. As such officers are of the opinion that the proposed dwelling would give rise to levels of noise and disturbance that would not be substantially different to those that could arise between gardens. As such the additional dwelling would be unlikely to give rise to significant adverse impacts on health and quality of life or unreasonable adverse effects on the environment by reason of noise or odours.
- 7.28 Nevertheless, it is considered reasonable to impose conditions removing permitted development rights in respect of the insertion of additional windows and openings in the proposed building, to avoid the potential for overlooking. It is also considered necessary to impose a condition to remove permitted development rights in Class A for extensions, and in Class E for ancillary buildings and structures as these are the classes that could result in further intensification of use of the curtilage to the possible detriment of neighbouring residents' living conditions.

Environmental Issues

- 7.29 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site, but have advised the inclusion of a precautionary condition relating to the discovery of any previously unknown contaminants.
- 7.30 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 7.31 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 7.32 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within a Public Transport Accessibility Level (PTAL) zone 2, where a high standard of 1.5-2 parking spaces are required per dwelling.

- 7.33 The scheme can demonstrate off street car parking provision for 2no. vehicles for the proposed dwelling with the formation of an access road adjacent to the southern flank elevation of No. 177. The access road would lead through to a turning head and parking area.
- 7.34 The Local Highway Authority has raised no objection to the proposal and the car parking, access and servicing arrangements are considered to be acceptable. Pedestrian visibility splays can be secured via condition to ensure that adequate visibility is present where the access drive meets the main carriageway.
- 7.35 The submitted drawing indicates the anticipated positioning of a bin store and secure cycle store but no further details of this have been provided, although it is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.

Mayoral Community Infrastructure Levy

- 7.36 The proposed development will create 1.no new residential unit with 89 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £1780.00 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 7.37 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.
- 7.38 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.
- 7.39 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.

- 7.40 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.
- 7.41 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.
- 7.42 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.
- 7.43 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.
- 7.44 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £6000 for educational purposes would be appropriate.

8. Conclusion

- 8.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 8.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.

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

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 1 June 2016.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

25 August 2016

Subject Heading:

P0489.16
25-29 Market Place, Romford

Part change of use and conversion of ground, first and second floor retail floorspace; third floor extension; and elevational changes to accommodate an 85 bedroom hotel including restaurant (Application received 24th March 2016)

Ward:

Romford Town

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

Tom McCarthy
Minerals & Projects Planning Officer
tom.mccarthy@havering.gov.uk
01708 431883

Policy context:

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

Financial summary:

Not relevant

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

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

SUMMARY

This is an application for a part change of use and conversion of ground, first and second floor retail floorspace; third floor extension; and elevational changes to accommodate an 85 bedroom hotel including a restaurant at 25-29 Market Place, Romford. This application, as alluded, seeks planning permission for a third floor extension to the building which together with the existing first and second floor is proposed to be used as a hotel inclusive of public restaurant. A retail use on the ground floor of the building would nevertheless be maintained as part of the proposals.

In respect of the proposed elevational changes, the applicant proposes to over clad the building with a metallic effect cladding system. The existing red brick elevation along Market Link and Ducking Stool Court are proposed to be retained but enhanced with improved window design.

This site forms part of the Romford Conservation Area and is also located in close proximity to a number of listed buildings, including St Edward the Confessor's Church. Staff note that this building has previously been defined as having a number of blank façades and as such not, overly, contributing positively to the conservation area designation.

This application, in essence, seeks to maintain the structural integrity of the building but improve its aesthetic appearance through the provision of the additional storey and the over cladding. In context of the current condition of the building and the limited value/contribution it makes to the Conservation Area, staff consider that the development would, on balance, improve the overall design quality of the building and its appeal in the conservation area.

The provision of hotels in town centre locations is supported by planning policy and it is not considered that the development and/or use would give rise to amenity and/or highway impacts at a level to warrant refusal.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL), in accordance with policy 8.3 of the London Plan, and that the applicable levy, based on the creation of 606m² new floorspace, would be £12,120.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following:

- A financial contribution of £10,000 towards local pedestrian dropped kerb improvements and the provision of a loading bay in Ducking Stool Court, to be paid prior to the commencement of development.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums shall be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the legal agreement, prior to the completion of the agreement, irrespective of whether the agreement is completed; and
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

It is therefore recommended that the Head of Regulatory Services be authorised to 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. The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the 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 Policy DC61 of Development Control Policies Development Plan Document.

3. 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 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 Policies DC61 and DC68 of the Development Control Policies Development Plan Document.

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

Reason:-

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

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

Reason:-

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

6. No works shall take place in relation to any of the development hereby approved until an Air Quality Assessment has been submitted to and agreed in writing by the Local Planning Authority. The assessment shall detail how the development may impact upon local air quality, model the future impact, identify mitigation measures, provide full details of measures that will be implemented (or continue to be implemented) to protect both the internal air quality of the building and ensure that there is no adverse impact on air quality in the vicinity of the development. The use hereby permitted shall not commence until all measures identified in the Air Quality Assessment have been implemented to the satisfaction of the Local Planning Authority.

Reason:-

Insufficient information has been supplied with the application to assess the potential impact of the construction phase of the development and the use on the local air quality environment. The assessment required, together with the mitigation (as appropriate), will prevent undue air quality impacts in accordance with Policies DC52 and DC61 of the Development Control Policies Development Plan Document.

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

Reason:-

Insufficient information has been supplied with the application to judge the technical specifications of the extract ventilation system. Submission of this detail prior to commencement of the use will protect the amenity of occupiers of nearby premises and ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

8. No works shall take place in relation to any of the development hereby approved until details of surface and foul water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:-

Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage would be managed. Submission of such details prior to the commencement of the development will ensure that sewage flooding does not occur, that sufficient capacity is made available to cope with the development and to ensure that the development accords with Policies DC49 and DC51 of the Development Control Policies Development Plan Document.

9. No works shall take place in relation to any of the development hereby approved until a scheme/details of how principles and practices of the Secured by Design award scheme are proposed to be adopted within the development. The scheme shall include, but not be limited to, details on proposed site security measures including CCTV cameras and the scheme shall be submitted to the Local Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

Reason:-

Insufficient information has been supplied with the application to determine whether the proposals meet Secured by Design standards. Submission of such details is in the interest of crime prevention and community safety and guidance contained in Policies DC49, DC61 and DC63 of the Development Control Policies Development Plan Document.

10. 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.

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

Reason:-

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

12. 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.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the building shall only be used for the purposes specified in the application and for no other purpose as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that use in any Statutory Instrument revoking and/or re-enacting that Order.

Reason:-

This application has been assessed on the basis of a specified use and it is considered appropriate to restrict this as alternative uses may have differing impacts on the town centre designation. This restriction is to comply with Development Control Policies Development Plan Document Policies CP4 and DC16 and Romford Area Action Policy ROM10. Applications for alternative uses would be considered on their individual merits.

Informative

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

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

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

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

3. 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, who can be contacted via email on: DOCOMailbox.NE@met.police.uk or via telephone on: 0208 217 3813.
4. Due to the presence of National Grid apparatus in proximity to the application site, the applicant is advised to contact National Grid before any works are carried out to ensure that the aforementioned apparatus is not affected by the development.
5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
6. 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 £12,120 (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.

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

REPORT DETAIL

1.0 Site Description

- 1.1 The application site comprises 25-29 Market Place, which is located on the corner of Market Link and extends to Ducking Stool Court. The property was previously occupied by TJ Hughes (the department store) however the building is now occupied by B&M Bargains on the ground floor. The upper floors of the building (the first and second floors) are vacant.
- 1.2 With regard to the building itself, dating from the 1960's, the building is located prominently on the corner of Market Place and Market Link. The building is clad in ceramic and is Art Deco in style and appearance, with narrow window details. The Market Link elevation of the building is constructed in red stock bricks and similarly has narrow window details over all floors. The building is currently serviced to the rear, from Ducking Stool Court, with roller shutters to a loading bay.
- 1.3 In terms of the locality, given the sites town centre location, the surrounding land uses are principally retail in character. Immediately adjacent to the building, to which this application relates, is a four storey development comprising ground floor retail units and residential development on the first to third floors. On the opposite side of Market Link are two and three storey commercial units, next to which is St Edward the Confessor's Church. The Church is Grade II* Listed. Ducking Stool Court to the rear, as previously referred, provides servicing access to the property, Romford Shopping Mall and access to the Romford Shopping Mall multi-storey car park. On the opposite side of Ducking Stool Court is a five storey apartment block (Hazeleigh House) and this adjoins the Travelodge Hotel.
- 1.4 In terms of designations, the Market Place elevation of the building forms the boundary of the Romford Conservation Area and the building in its entirety forms part of Romford Town Centre.

2.0 Description of Proposal

- 2.1 This application seeks planning permission for the part change of use, refurbishment (including elevation changes) and a part extension to 25-29 Market Place to accommodate an 85-bedroom hotel and restaurant to be operated by Premier Inn.
- 2.2 In respect of the above, planning permission is sought to construct a third floor extension to the building. The extension would comprise 1,202m² floorspace and this is proposed to be clad in a metal effect roofing system.
- 2.3 The existing ceramic clad façade to Market Place and Market Link would, in addition to the above, be over clad with a metallic effect cladding system to complement the extension and adjacent Church. The existing red brick elevations along Market Link and Ducking Stool Court are proposed to be retained but enhanced with improved window design. In respect of this, windows have been designed, generally, with louvred grills. The first floor windows to Market Place are nevertheless proposed deeper and omit the louvres to enhance activity and enhance the visual presence of the restaurant as a public element.
- 2.4 In terms of access, the hotel is proposed to be accessed via the Market Link elevation. This would provide access to an entrance lobby, stair core and two lifts to the first floor. On the first floor is the proposed main reception and restaurant area. The restaurant would be open to the public, not just customers of the hotel. 18 rooms would also be located on the first floor of the building with 67 rooms proposed on the second and proposed third floor of the building.
- 2.5 No car parking is proposed as part of the development with it suggested that guests could either utilise public transport (the site has a PTAL of 6a) or public car parks in close proximity of the site.

3.0 Relevant History

P0872.08 - Re-clad external facade and alterations to entrance doors to alter appearance - Refused 25/06/2008

A0041.04 - Internally illuminated shop sign - Approved with conditions 07/07/2004

A0042.01 - Shop signs - illuminated - Approved with conditions 15/06/2001

A0035.01 - Rectangular banner sign displayed on lamp column - Approved with conditions 08/05/2001

The Local Planning Authority also has an open enforcement case relating to this building and the provision of unauthorised advertisement signs. Whilst some signs were recently (in 2015) removed from the building, investigations are still on-going with regard to one remaining sign on the south-west elevation of the building.

4.0 Consultations/Representations

4.1 475 properties were directly notified of this application. Eight letters of representation have been received. The letters of representation received all raise objections to the development and cite the following material planning considerations:

- Overlooking and loss of privacy;
- Lack of parking and that many car parks in the locality are already full the majority of the time;
- That the nearby infrastructure (Ducking Stool Court and Market Link) are already overused. The roads are small and narrow and this will only add to the congestion as a result of more deliveries;
- There is already a hotel in this area;
- Another hotel will give rise to the potential for added anti-social behaviour in the evening and early mornings; and
- Impact of the building works on nearby residential amenity.

4.2 Consultation has also undertaken with the following:

Anglian Water - No comments received.

EDF Energy - No comments received.

Essex and Suffolk Water - No comments received.

Highway Authority - The data submitted with the application suggests that Ducking Stool Court is lightly used and therefore the presence of a loading bay is unlikely to create significant traffic flow issues. There are loading restrictions during the day and it is our (the Highway Authority's) understanding that the applicant would wish to load/unload during this period. In order to lawfully allow loading we would seek, in the event that planning permission be granted, a financial contribution for the establishment of an on-street loading bay in Ducking Stool Court and a local review of parking controls to ensure loading takes places in the bay, rather than elsewhere. The issues of vehicles reversing cannot be dealt with, but setting out clear walking and loading space will help to mitigate the issues. It is therefore suggested that a £10,000 contribution towards local pedestrian dropped kerb improvements and the provision of a loading bay in Ducking Stool Court be secured. With the aforementioned secured, no objection is raised to the development coming forward.

Historic England - Offer no comment. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

London Borough of Havering Environmental Health - No objection. It is however recommended, given the former use of the site, and uses nearby, that

consideration should be given to the requirement for contamination surveys, should additional foundations be required to support the extension. It is also recommended that an Air Quality Assessment; a scheme for any new plant or machinery to ensure that no such plant or machinery is installed to exceed LA90 -10dB at the nearest noise sensitive premises; and a scheme for sound insulation be secured by condition.

London Fire Brigade - No objection.

Metropolitan Police (Designing Out Crime) - No objection although it is recommended that measures demonstrating how the principles and practices of the Secured by Design are proposed to be incorporated into the development be secured by condition.

National Grid - National Grid has identified that it has apparatus in the vicinity of the development site. The contractor should contact National Grid before any works are carried out to ensure that our apparatus are not affected.

Romford Civic Society - Object. The conservation area appraisal for Romford is clear (paragraph 4.11) that bland design is a key problem for the environment of Romford Market. The applicant's suggest that their proposal of cladding the form of the current building in metal has something to do with the industrial heritage of Romford. It is not considered that this heritage should be over-emphasized as the context for work in the Market which is in fact an eclectic mix of forms. The proposal does nothing to redress the imbalance within the Market environment, instead adding a new blank façade to further exacerbate the problem. Use of metallic material is likely to create unpleasant glare and reflections, to the detriment of the shopping experience.

The site under discussion is an extremely important location in Romford conservation area, formally the setting of a nationally significant group of listed buildings and green space between St. Edward's Church. If the applicant wishes to respond better to the local environment, they would do better to examine the eclectic collections of forms which characterised this area in the past.

Thames Water - No objection. It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the planning application.

UK Power Networks - No comments received.

5.0 Relevant Polices

- 5.1 LDF Core Strategy and Development Control Policies Development Plan Document (LDF): CP3 - Employment, CP4 – Town Centres, CP9 - Reducing The Need To travel, CP15 – Environmental Management, CP17 – Design, CP18 – Heritage, DC13 – Access To Employment Opportunities, DC14 - Hotels, DC15 – Locating Retail and Service Development, DC16 – Core and

Fringe Frontages in District and Local Centres, DC32 - The Road Network, DC33 - Car Parking, DC36 - Servicing, DC40 - Waste Recycling, DC49 - Sustainable Design and Construction, DC50 - Renewable Energy, DC51 - Water Supply, Drainage and Quality, DC52 – Air Quality, DC53 - Contaminated Land, DC55 - Noise, DC56 – Light, DC61 - Urban Design, DC62 – Access, DC63 - Delivering Safer Places, DC67 Buildings Of Heritage Interest, DC68 Conservation Areas, DC72 - Planning Obligations

- 5.2 The Council's Designing Safer Places SPD, Heritage SPD, Landscaping SPD, Sustainable Design and Construction SPD, Planning Obligation SPD, Romford Area Action Plan and Romford Town Centre Development Framework
- 5.3 London Plan: 2.6 - Outer London: Vision and Strategy, 2.7 - Outer London: Economy, 2.8 - Outer London: Transport, 2.15 – Town Centres, 4.5 – London's Visitor Infrastructure, 4.7 – Retail and Town Centre Development, 5.3 – Sustainable Design and Construction, 5.13 - Sustainable Drainage, 5.21 - Contaminated Land, 6.1 - Strategic Approach, 6.3 - Assessing Effects Of Development On Transport Capacity, 6.9 - Cycling, 6.13 - Parking, 7.2 - An Inclusive Environment, 7.3 - Designing Out Crime, 7.4 - Local Character, 7.5 - Public Realm, 7.6 - Architecture, 7.7 - Location and Design Of Tall And Large Buildings, 7.8 - Heritage Assets and Archaeology, 7.14 - Improving Air Quality, 7.15 - Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes, 8.2 - Planning Obligations and 8.3 - Community Infrastructure Levy
- 5.4 Government Guidance: National Planning Policy Framework and National Planning Practice Guidance

6.0 Mayoral CIL Implications

- 6.1 In consideration of the net amount of non-residential accommodation which would be created (606m²) by this development, a Mayoral CIL contribution of £12,120 would be required should planning permission be granted.

7.0 Appraisal

- 7.1 It is considered that the key issues in the determination of this application are the principle of the development; the proposed design of the extension and re-cladding and the impact of this on the street-scene and conservation area; any potential impact on near-by residential amenity; and any potential impact on local infrastructure and congestion.

Principle of Development

- 7.2 Policy DC14 of the Core Strategy states that Romford is the preferred location for large scale hotel development. The supporting text to the policy states that hotels strengthen the wider role of the town centre and provide a range of employment opportunities. The present trend of increasing numbers of tourists visiting London is expected to continue and the Greater London Hotel Demand Study (2006) estimates that the hotel stock in Havering, in 2006, represented

just 0.3% of the total London supply. The Study estimated that between 2007 and 2026, an additional 330 new hotels rooms would be required in Havering and with regard to this it is even suggested that additional demand may exist following the completion of major infrastructure projects such as Crossrail.

- 7.3 Policy 4.5 of the London Plan states that Boroughs should support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors, seeking to improve the range and quality of provision, especially in outer London. In respect of this, and planning decisions, development should contribute towards the hotel provision target (40,000 net additional hotel rooms by 2036) and ensure that 10% of rooms are wheelchair accessible. Decisions should furthermore seek to ensure that hotels are located in areas consistent with strategic location principles.
- 7.4 This site is located within Romford town centre. Policy DC16 of the Core Strategy and policy ROM10 of the Romford Area Action Plan both state that in district centres or retail cores (such as Romford) planning permission for non-retail uses will only be granted in certain instances. Both policies nevertheless relate to just the ground floor of buildings and whilst changes would be required to facilitate access to the hotel, the A1 retail use of the ground floor would be maintained in this instance.
- 7.5 The main entrance to the hotel is proposed off Market Link and this in any respect would have an active frontage, would be open during shopping hours and as such it is not considered that the use *per-se* would significantly harm the character, function and vitality and viability of the town centre. The Romford Town Centre Development Framework, with regard to this, suggests that opportunities to provide additional activity in the form of residential uses (including hotels) above retail areas should furthermore be encouraged.
- 7.6 Noting the above and the policy position portrayed in respect of the preferred location for hotels, no principle objection is raised to this development coming forward. This site is located in an area with an excellent PTAL rating (6a) and is considered highly accessibly by a number of different methods of public transport.

Design and Impact on the Street Scene and Conservation Area

- 7.7 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must (only criteria relevant to this application have been detailed) harness the topographical and ecological character of the site; respond to distinctive local building forms and patterns; compliment or improve the amenity and character of the area; reinforce, define and embrace the street; create or enhance and clearly define public and private realms; and be durable, flexible and adaptable.
- 7.8 Expanding on this Policy ROM7 of the Area Action Plan states that any new development with a frontage to the Market Place will be required to respect the scale and massing of existing buildings in the Market Place, to reinforce the

sense of enclosure and emphasise its civic importance in line with ROM20. Policy ROM20 details that development will be required to:

- respect the scale and massing of existing buildings in the Market Place;
- reinforce Romford's traditional street layout;
- preserve or enhance the view of the spire of St Edward the Confessor along South Street from Romford Station and other local views which enhance the centre's legibility;
- reinforce the prominence and importance of the High Street/North Street axis; and
- increase civic pride by creating a sense of place.

7.9 As detailed in the 'Site Description' section of this report, this site is partially located within the Romford Conservation Area and also in close proximity to St Edward the Confessor's Church which is Grade II* Listed. The NPPF details that when determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

7.10 The Character Appraisal and Management Proposals for Romford Conservation Area notes that most of the later 20th century buildings in the Market Place (the building to which this application relates included) are a mix of bland frontages alongside Edwardian facades and 1930s buildings. It is suggested that there is not a predominant local material but most 19th century buildings are constructed in stock and dark red brick, with commercial buildings employing freestone for cladding and decorative work.

7.11 Policy DC67 of the Core Strategy states that planning permission involving listed buildings or their setting will only be allowed where:

- it does not involve the demolition of a listed building; and
- it does not adversely affect a listed building or its setting.

7.12 Policy DC68 goes on to state that the character and appearance of conservation areas will be preserved or enhanced. Planning permission for development within conservation areas will only be granted where:

- it does not involve the demolition of a building that makes a positive contribution to the character or appearance of the area;
- it preserves or enhances the character or appearance of the conservation area and is well designed;
- it does not involve the loss of trees which contribute towards the character or appearance of the conservation area; and

- in the case of Gidea Park Conservation Area, it ensures that all subdivision of plots particularly within the 1911 Exhibition and Competition housing areas result in plot sizes similar to those of surrounding properties.

7.13 Staff acknowledge, as noted in many adopted Council documents, that this building is made up of a number of largely 'blank' façades that do not positively contribute to the local environment. This impact is compounded by the location and prominence of the building, which by default plays a significant part in the perceived character of the area. On review of the proposed development and design, staff have considered the immediate context and note the scale and form of the adjoining building. In view of this, staff consider that if the building is to be retained, an increase in height is likely to be the key to a visual improvement in design integrity. This, together with an improved material palette, would help improve the overall aesthetic appearance of the building and help the building positively contribute to the locality.

7.14 It is accepted that the additional storey would be at contrast to that on the other side of Market Link, and the Church, however staff do not consider in principle a four storey building would be so out of place or of a scale to significantly detract from the setting of the Church. This site does benefit from a junction location and it is considered that the site can suitably accommodate an additional storey.

7.15 The Romford Town Centre Development Framework details that buildings in the 'Historic Core' of the town centre (which includes Market Place) are generally between two and five storeys. Expanding on this, it is nevertheless suggested that, as this is the most distinct area in the town centre, future development should seek to reinforce the historic character and contribute to the vitality of the area. Noting previously comments provided in this report with regard to the principle of a hotel in the town centre, staff turn to the design of the development. In respect of this, it is considered that the additional and enlarged windows, proposed as part of this application, would add to the architectural merit of the building and, overall, improve the street appeal of the building. The metallic effect cladding roof, visible along Market Link and Ducking Stool Court, furthermore would give the building a more defined roof line.

7.16 Looking at the proposed material palette, and re-cladding of the building, the applicant has suggested that the existing patterned ceramic clad façade be over clad with a modern cladding system. With regard to this, the applicant is proposing a metallic effect finish, to reflect the town's brewing and industrial heritage. As an over clad the new cladding would sit slightly forward of the existing façade and commence above the re-clad canopy of the first floor, terminating at roof level, with a 150mm deep formed aluminium capping. The earthy shades proposed for the metallic cladding have been justified on the basis of the colouration of St Edwards Church whilst contrasting the dominance of the red and stock brick on other buildings in the vicinity. The pattern of cladding has been proposed in a general vertical formation, to avoid the

appearance of a striped façade and to seek to further define the scale of the building.

- 7.17 Noting that this is a conservation area and the site is located in close proximity to a number of listed buildings, the rationale for introducing such a modern material palette in terms of the proposed cladding could be questioned. Staff however consider that seeking to replicate the largely brick façade of the adjoining building would be uncharacteristic given the buildings existing size and scale. The existing bulk of the building is characteristic of a typical larger department store or a use such as a hotel and it is not considered that the building characteristics blend easily into the streetscene, as existing. The building is by way of its design is considered unique. In this context, staff accept the design rationale adopted and consider that the contrasting material palette would help improve the overall aesthetic appearance of the building. The comments received from the Romford Civic Society are noted however, it is not considered that such improvements can be realised without a whole-scale re-development of the site. Accepting that this is not the application before the Local Planning Authority, staff consider that the proposal would, on balance, improve the overall appearance of the conservation area and as such, subject to appropriate conditions requiring the submission of material samples, it is considered that the development does comply with relevant design and heritage related policy.

Impact on Amenity

- 7.18 Policy DC61, in addition to that detailed above, states that planning permission will not be granted should development result in an unacceptable amount of overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties.
- 7.19 As it will be noted a number of concerns have been raised by the public from an amenity perspective. Looking at these impacts in turn, staff acknowledge that there are a number of residential properties (flats) in close proximity to the site. Staff however note that this site does form part of the Romford town centre designation, and planning policies seek to promote hotels in such locations. Whilst it is accepted that a hotel use would give rise to different amenity impacts than a retail unit, it is not considered that the use *per-se* is so unneighbourly as to warrant refusal on its own. Appropriate conditions, as suggested by the Council's Environmental Health officer, could be imposed, should planning permission be granted, with regard to sound insulation and maximum noise levels from plant and machinery and with these suitably secured it is not considered the impacts from the hotel use would be so significant to warrant refusal.
- 7.20 In terms of overlooking and loss of privacy, staff note the concerns raised, particularly with regard to the relationship between bedrooms at the rear of the hotel facing out onto Ducking Stool Court. With regard to this it is however noted that the four windows where views would be most prominent are proposed with a fixed hardwood timber louvre. In consideration of this, although it is accepted that the use would likely give rise to some overlooking it

is not considered that any such impact would severely impact on privacy at a level to be deemed contrary to policy DC61 of the Core Strategy.

- 7.21 With regard to the construction phase of the development, limited details have been provided on how vehicles would access the site during construction and furthermore, in general, how the construction phase would be managed. Although such impacts are not considered sufficient enough to warrant refusal, it is considered that conditions could be imposed, in terms of the requirement for a construction management plan to effectively ensure that the procedures proposed are acceptable and do not adversely impact on the day to living conditions of the occupiers of the adjacent development.

Highway Impact & Car Parking Provision

- 7.22 Although no car parking provision is proposed as part of this application, this site has a PTAL rating of 6a (excellent) with the closest bus stops to the site located approximately 250m (westbound) and 440m (eastbound) from the site on A118 St Edwards Way. Romford rail station is approximately 650m from the site and there are also a number of public car parks open 24 hours a day, seven days a week, in the vicinity of the site.
- 7.23 With regard to above, the applicant, as part of the submitted Transport Assessment, has undertaken of survey of public car parks and demonstrated that sufficient capacity exists to meet the likely demand from the hotel use.
- 7.24 In terms of the servicing arrangements, it is proposed that vehicles would travel south along Market Link, past the junction with Ducking Stool Court. Vehicles would then reverse around the corner and park along the footway. After servicing, vehicles would depart in forward gear, turning right out of Ducking Stool Court and onto the Ring Road. The proposed operator typically has the following weekly delivery schedule:
- seven linen deliveries / collections, which have a typical duration of 30 minutes;
 - three food deliveries, which have a typical duration of 40 minutes;
 - one beer / wine delivery, which has a typical duration of 45 minutes; and
 - four refuse collections, which have a typical duration of 20 minutes.
- 7.25 Noting the above, the proposed hotel use would likely result in circa 15 service vehicle arrivals and 15 service vehicle departures per week. These would take place between 06:30am and 18:00pm. In terms of the retail unit, the aforementioned would be additional vehicle movements to the approximately seven (14 vehicle movements) associated with deliveries to the retail use.
- 7.26 The Highway Authority have reviewed these figures, in context of potential vehicle movements that would result from full retail occupation of the building as existing and accept that the number of vehicle movements associated with a hotel use, when compared to a retail use, is similar. Accordingly, subject to a financial contribution towards local pedestrian dropped kerb improvements and

the provision of a loading bay in Ducking Stool Court, it is not considered that the proposed hotel use would give rise to congestion at a level that would be deemed significant in context of paragraph 32 of the NPPF and contrary policy DC32 of the Core Strategy.

8.0 Other Considerations

Employment

- 8.1 As noted in the supporting text of policy DC14, hotels provide a range of employment opportunities. The applicant has suggested that the hotel proposed by this application would create in the order of 29 full and part-time jobs. Premier Inn, as a company, has a target of ensuring that 50% of jobs offered are taken up by those not either in employment, education or training aged 16-24. Premier Inn in this regard offers training and development programmes and apprenticeships to aid on-site learning. Although it is accepted that any formal use of the building would likely give rise to employment opportunities, the initiatives employed by the applicant are considered noteworthy and of a further social and economic benefit to the development coming forward.

Land Contamination

- 8.2 Given that this site is noted as potentially contaminated, request has been made by the Council's Environmental Health officer that consideration be given to the need for a land contamination assessment. With regard to this, it is noted that no excavation works would however be necessary to facilitate the proposals and as such it is not considered that a land contamination assessment is necessary as the ground would not be disrupted by the development.

9.0 Conclusion

- 9.1 Planning policies aim to direct hotels towards town centre locations. Both the London Plan and the Core Strategy suggest that such locations are suitable for such development as they support visitor economies, stimulate growth and provide employment opportunities. Town centre locations are also normally highly accessible and therefore allow potential uses/occupants to access the facility via a number of transport methods.
- 9.2 Staff in view of the policy position portrayed in the London Plan and Core Strategy have no principle land-use objection to the provision of a hotel in this location, especially as a retail ground floor use would be maintained. That being said, it is noted that the front façade of the building in question does form part of a conservation area and the building is also close to a number of listed buildings.
- 9.3 With regard to this, the building to which this application relates is not considered of high intrinsic value and it is not considered that it enhances the conservation area. Staff consider that the development proposed by this

application would improve the aesthetic appearance of the building and accordingly the overall appeal of the conservation area. It is considered that the third storey extension can comfortably be accommodated on the site without appearing over-bearing and it is not considered that the development or use would give rise to amenity impacts at a level to warrant refusal.

- 9.4 Whilst no designated car parking provision is proposed, in consideration of the PTAL level, the number of public car parks in the vicinity and the comments received from the Highway Authority it is not considered that the lack of such of a provision is fundamentally contrary to policy and likely to impact on highway safety or efficiency.
- 9.5 Subject to the imposition of appropriate planning conditions, staff consider that the development, on balance, complies with relevant planning policy and recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: Legal resources would be required to prepare and complete the required Section 106 legal agreement. The s106 contribution is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the contribution and obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating to planning obligations.

Human Resources implications and risks: None

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

BACKGROUND PAPERS

1. Application form, plans and associated documents received 24/03/2016.

REGULATORY SERVICES COMMITTEE

25 August 2016

REPORT

Subject Heading:

P0922.15 Demolition of existing structures and the phased redevelopment to provide 396 residential dwellings, car parking, bicycle parking, substation, public open space and pedestrian/cycle infrastructure works and improvements at Dovers Corner industrial estate, Rainham trading estate and Boomes industrial estate, New Road, Rainham

Ward: South Hornchurch

(Application received: 03-07-2015
Revised Plans Received: 24-03-2016,
16-06-2016, 22-07-2016 & 29-07-2016

Addendum to Environmental Statement
Received: 04-05-2016

Lead Officer

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605

Policy Context:

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

Financial summary:

None

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

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

SUMMARY

This report considers an application for the erection of 396 dwellings comprising 175 houses and 221 flats on land adjacent to Dovers Corner, Rainham.

The site lies within one of the Mayor of London's Housing Zones and is in a designated opportunity area in the London Plan. The site is also identified as suitable for residential development in Havering's Local Development Framework site specific policy SSA12 and in the recently adopted Rainham and Beam Park Planning Framework. Therefore, the redevelopment of the site for residential purposes is considered acceptable in principle. The main issues for consideration concern flood risk, ground contamination, scale, design and layout, affordable housing and viability, parking and highways, ecology, air quality and odour, heritage, designing out crime and cycle and pedestrian linkages. An environmental statement has been submitted with the application which addresses these issues and alternative development scenarios.

The application is a strategic application and the Mayor of London has been consulted on the proposals. The Mayor broadly supports the principle of the development but has a number of strategic concerns. Revisions have been made to the application in response which are addressed in this report. The application must be referred back to the Mayor once the committee has made its draft decision.

Staff consider that the proposals are acceptable in all material respects and that planning permission should be granted subject to no contrary direction from the Mayor of London, the prior completion of a S106 planning obligation and planning conditions.

RECOMMENDATIONS

1. That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £388,440 (subject to indexation). This is based on the creation of 31,105 square metres of new gross internal floorspace with an allowance for the existing floorspace in lawful use of 14,183 square metres which is to be demolished.

2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
- A financial contribution totalling £1,782,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
 - A financial contribution not exceeding £1,500,000 for the improvement of cycle and walking accessibility in accordance with policies DC34, DC35 and DC72 of the LDF Core Strategy and Development Control Policies DPD, Policy SSA12 of the Site Specific Allocations DPD and the Rainham and Beam Park Planning Framework comprising:
 - Pedestrian and cycle access across Rainham Creek linking the site with Bridge Road and Rainham village centre (contribution £700,000). Details to include a provision for the developer to provide the crossing in lieu of payment to an agreed specification and agreed timetable (subject to necessary access being granted);
 - Pedestrian and cycle access to the west across the [Havering New Sewer](#) linking the site with adjoining land to facilitate a link westwards to Beam Gardens and Beam Park station (contribution £300,000) Details to include provision for developer to provide the crossing in lieu of payment to an agreed specification and agreed timetable (subject to necessary access being granted);
 - To provide a contribution to improved cycle and pedestrian links along the A1306 corridor to create a linear park including landscaping and asset replacement and access improvements along Rainham Creek (contribution £500,000).
 - Providing for affordable units as follows:
 - Utilising the available GLA grant of £1.62 million allocated for the site and additional GLA funding of £1.32 million available to the Council to deliver the maximum amount of affordable housing (based upon the Council's requirement on tenure and mix) on the site using this grant (based on current Registered Provider offers this will deliver between 41 and 82 affordable housing units dependent on tenure), subject to detailed proposals from Registered Providers and the Council. To allow these units to be purchased by the Council using other funding mechanisms, up to an equivalent value, where the GLA funding or grant is no longer available;
 - Utilising the GLA gas pipeline diversion grant of £1,280,440 - £1,500,000 million to deliver the maximum amount of affordable housing (based upon the Council's requirement on tenure and mix) on site using this grant (based on current Registered Provider offers

in respect of the lower figure this will deliver between 18 and 32 affordable housing units dependent on tenure), subject to detailed proposals from Registered Providers and/or the Council. To allow these units to be purchased by the Council, up to an equivalent value, using other funding mechanisms where the GLA funding or grant is no longer available;

- The provision on site of a minimum of 25 dwellings as 'Discount to open Market Value' dwellings to be disposed of in perpetuity at a price equivalent to 90% of the open market value. The units to comprise two and three-bed dwellings and two flats over garages. Details of plot number to be specified in the agreement, subject to variation clauses.
- Relocation of bus stop on A1306;
- Provision of travel packs to new residents;
- Restrictions of applications for resident parking permits in Rainham area;
- Local recruitment and training strategy;
- A public access agreement for all cycle-pedestrian routes and certain roadways in the event of the routes and roads are not formally adopted;
- Management and maintenance of SuDs, open space and non-adopted roads;
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

Subject to there being no contrary direction from the Mayor of London or call-in by the Secretary of State (following referral to the Health and Safety Executive), that the Head of Regulatory Services be authorised to enter into a planning obligation to secure the above and upon completion of that obligation, grant planning permission subject to the conditions summarised below and listed in full in Appendix A to this report.

1. Time Limit
2. Accordance with plans
3. Accordance with Environmental Statement and mitigation measures
4. Phasing
5. Condition discharge plan
6. Materials
7. Hard and Soft Landscaping
8. Gas pipeline relocation
9. De-culverting works to Pooles Sewer
10. Car parking
11. Electrical charging points
12. Energy efficiency
13. Air quality
14. Land Contamination (1)
15. Land contamination (2)
16. Land contamination (3)
17. Refuse and recycling
18. Cycle storage
19. External lighting
20. No additional flank windows
21. Removal of permitted development rights
22. Boundary treatment
23. Landscape management plan
24. Non-road mobile plant and machinery
25. Secured by design
26. Hours of construction
27. Vehicle cleansing
28. Construction and demolition environmental management
29. Noise insulation
30. Wheelchair accessibility
31. Details of emergency access
32. Details of cycleway and footpaths
33. Visibility splays
34. Highway agreements
35. Fire hydrants
36. Archaeological investigation
37. Foundation design and method statement
38. Water efficiency
39. Ecological survey prior to de-culverting works
40. Habitat creation
41. Car Parking Management plan
42. Access details

Informatives listed in appendix A

REPORT DETAIL

1. Site Description

- 1.1 The application site lies to the south west of the Dovers Corner roundabout on the A1306 (New Road), approximately 250 metres from Rainham village centre. The site, which amounts to 5.85 hectares, lies to the north of the C2C and High Speed 1 railway lines, with Rainham Creek to the east and a drainage ditch, known as Pooles Sewer to the west. The main access is on to New Road, with a secondary access onto Bridge Road. The site is lower than New Road, but generally level with a fall southwards towards the railway lines.
- 1.2 The site is currently occupied by a number of industrial estates which include a range of light industrial and commercial uses comprising B1, B2, B8 and sui generis use classes. The site is characterised by significant areas of hardstanding and a range of one and two storey industrial buildings, most of which are of poor quality. There are also areas of open storage, especially adjacent to the railway line.
- 1.3 The site is located within Flood Zone 3 and has a PTAL of 3. The site has been occupied for commercial and industrial uses for a number of years and as such is potentially contaminated.
- 1.4 To the south of the railway lines is the Rainham sewage works beyond which is the A13 and further industrial areas. To the west of the site is the new Passive Close development and Havering College, where new development is proposed.
- 1.5 The site lies within one of the 11 new Housing Zones announced by the mayor of London in March 2016 to create new homes and neighbourhoods. Grant funding is available to boost London's housing supply, stimulate new buildings and deliver new low cost homes.

2. Description of proposal

- 2.1 The development proposed entails the demolition of all existing site buildings and the redevelopment of the site for residential purposes. This would comprise 221 flats and 175 houses giving 396 new units in total. The flats would be located in 10 blocks five each at the northern and southern ends of the site. All but one would be four-storey. A single five storey block would be located close to the Dovers Corner Roundabout adjacent to Bridge Road. The houses would be traditional 2 and three- storey. A local area of play would be provided in southern part of the site.
- 2.2 The site would have a single access point for vehicles from New Road which would connect to the main site road. This would run north-south through the site. The line of this road is determined by existing services, including main sewer and gas pipes, which forms the basis for the overall layout. This is further

informed by an east-west cycleway/footpath that would link the development to adjoining sites and Rainham village via bridges across Rainham Creek to the east and the Pooles Sewer to the west. There would be further cycle/pedestrian linkages to New Road, Bridge Road and Lamson Road.

- 2.3 The layout would be in the form of a grid based upon these two connecting routes, with east-west road linkages. There would be houses facing onto Rainham Creek which have been designed to reflect the riverside setting and would have the general appearance of warehouse buildings typical of wharf side locations. These units would be three storey and in differing materials to the remainder of the development.
- 2.4 The flats on the northern boundary would have a frontage facing New Road and a new green corridor parallel to the road which would incorporate a new habitat based around the de-culverting of the Pooles/Havering Main Sewer. This habitat improvement would extend around the western boundary where the watercourse runs north-south. The development on this part of the site would face westwards across the water course.
- 2.5 The northern part of the site is currently crossed by a high pressure gas pipeline. In order to achieve the full development potential of the site this is to be relocated further to the north within the new green corridor. This relocation would be undertaken prior to any development on the northern part of the site.
- 2.6 All the houses would have private amenity areas and parking spaces, which would include some on-street parking. 377 parking spaces proposed including blue badge and visitor spaces plus cycle parking in accordance with the revised standards in the London Plan.
- 2.7 The development would comprise 256 two-bed units which would be mostly apartments; 115 three bed houses and 25 four-bed houses. All units would have internal floor space to meet the national described space standards. 175 of the dwellings would have the benefit of private rear gardens and most apartments would have private balconies of a minimum 5 square metres with ground floor units having individual garden areas. In addition there would be communal amenity areas, in particular the green corridor along the northern part of the site adjacent to the re-opened Pooles Sewer.
- 2.8 Solar voltaic panels are proposed to meet the requirements of the London plan for renewable energy.

3. **Relevant History**

- 3.1 U0002.08 - Demolition and mixed use redevelopment of 735 dwellings comprising 95 houses and 640 apartments, retail (A1-A4) and commercial floorspace (B1 & D1), car parking, public open space, de-culverting of Pooles Sewer, alterations to access to New Road, closure of accesses to New Road and Bridge Road, formation of emergency-only access to Lamson Road - approved on appeal.

- 3.2 The Secretary of State considered that the proposal complied with the relevant development plan policies and national guidance and that the scale of development, including storey height was justified. The Council had objected to the application on the grounds of poor design quality and relationship with its surroundings, heritage impact on the conservation area, highway safety and compliance with planning policy. The policy concern was that the development should be predominantly three-storey in accordance with SSA12, but the scheme included flatted blocks up to nine stories high.
- 3.3 The Council also objected on the grounds that the scale of development, in particular the storey height could materially impact on the character and appearance of the Rainham Conservation area, including listed buildings within it. The Inspector concluded that the proposal would not unacceptably affect the fabric or setting of any listed building and it would preserve the character and appearance of the conservation area. The Secretary of State agreed with these views and that the proposal would not materially compromise the value of the nearby non-designated heritage assets.

4. **Consultations/Representations**

- 4.1 There have been 111 letters of objection and six other representations.

Objections are raised as follows:

- Concerns over the impact on local population and infrastructure on matters such as health care and schools;
- Impact of traffic on A1306;
- Impact on local policing;
- Would have detrimental impact on existing residents due to impact on infrastructure;
- Impact on flooding;
- Impact on public transport – overcrowded trains;
- Overdevelopment of site which is not in keeping with local spacious character;
- Should be no more than 3-storey and high quality as site is the gateway to Rainham;
- Inadequate parking and only single access to the site;
- Not in keeping with existing historic village and conservation area;
- Too many apartments and are too high, not in keeping with the garden city idea in the framework;
- Does not take into account the Green Grid and transportation sections of the London Riverside OAF – no new off-road route with bridge link for commuters and cyclists; a route through Rainham would need to use the Broadway which is inadequate due to restricted width.
- Five storey landmark building more like Orchard village than Rainham

Comment on objections:

i) The recently adopted Rainham and Beam Park Planning Framework set out details of the scale of new development within the framework area, which is addressed in more detail later in the report. The framework proposes that four-storey units would be appropriate along New Road and that there is scope for taller buildings in certain locations. It is also relevant to have regard to the scale of the Weston Homes scheme which included buildings up to nine stories. The current proposals have one block above the four proposed in the framework. This is addressed in paragraphs 6.11 - 6.22 of this report.

ii) The development proposals are acceptable in principle and would help to deliver new housing in accordance with the London Riverside Opportunity Area Framework, which forms part of the London Plan and the Council's own planning framework referred to above. The development is sufficiently separate and visually isolated from Rainham Village so as to have no material impact. The nearest residential areas along New Road are of varied character with no consistent architectural style. This is addressed in paragraphs 6.23-6.24 of this report.

iii) The infrastructure impacts of the development are addressed through financial contributions for education and the Mayor's CIL which is for public transport, currently Cross-Rail. Transport for London is seeking a contribution towards the impacts on local bus services. The impact on local train services was not a major issue with the much larger Weston Homes' scheme and the current proposals would have less impact. Any improvement to services would be a matter for the service provider C2C.

iv) Proposals to de-culvert the Pooles Sewer and improve the capacity of the Havering New Sewer will address flooding issues and ensure that the site can be safely developed. This issue is addressed in paragraphs 6.34 – 6.48 of this report.

v) The Metropolitan Police have been consulted on the application and the design and layout has been amended to seek to minimise the risk of crime. A condition is proposed in relation to 'secured by design' matters. This is addressed in paragraph 6.55 of this report.

vi) Transport for London, which is the highway authority for the A1306, has raised no objections to the access. An emergency access is to be provided onto Lamson Road. The proposed car parking is in accordance with the standards set out in the Rainham and Beam Park Planning Framework, which accord with those in the London Plan and Policy DC2 which set maximum parking levels. This is addressed in paragraphs 6.26 - 6.33 of this report.

vii) The development would provide important cycle and pedestrian linkages east and west of the site and to the A1306 and Bridge Road. Staff are considering separately how best to extend the linkages eastwards from Bridge Road/Lamson Road to Rainham Station, which falls outside of the scope of this application. A possible route along Council owned land adjacent to the railway

line is being considered as part of the redevelopment of the former library site in accordance with the Rainham and Beam Park Planning Framework.

Consultation Responses

The application has been subject to two periods of publicity and consultation, the second following revisions to the application in March and April 2016. The summary set below refers to the most recent response where appropriate.

4.2 Network Rail:

Network Rail does not object to the application but sets out criteria for the construction period and for any future maintenance works such that these do not have an adverse impact on the operation and safety of the railway network, including any current or proposed work on the railway land. The potential impacts could arise from drainage, use of construction plant; storage of materials, scaffolding and piling. Reference is also made to the need for secure fencing to prevent trespass onto the railway; appropriate lighting that does not interfere with the operation of the railway; guidance on species to be used in any landscaping near to the railway and use of vehicle incursion barriers close to the railway boundary. Any noise impact on the development should be assessed in accordance with the NPPF, bearing in mind that the level of usage and times could change. An asset protection agreement with Network Rail is recommended.

4.3 Public Protection:

- i) Noise: subject to the recommendations set out in the noise consultant's report being implemented prior to occupation there are no objections;
- ii) Air quality: No objections but recommends a condition in relation to Non-road mobile machinery;
- iii) Land contamination: Additional site investigation is required in order to establish the level of potential risk posed to human health and the environment. A condition is recommended to address this.

4.4 Historic England:

- i) Archaeology: In response to the original consultation Historic England recommended that further studies should be undertaken to inform the preparation of archaeological proposals for the site. Geo-archaeological coring should be undertaken to assist in identifying buried landforms and deposits of archaeological interest. The heritage statement indicates that the potential for the survival of a nationally significant Bronze Age trackway and associated settlement is high and that the coring is necessary to more closely model buried archaeological layers. The scope of such work should be agreed with the GLAAS. However, as the applicant has no access to the land to undertake coring a desktop assessment was undertaken to model deposits in the area using existing archaeological records and

submitted to Historic England. The objection has now been withdrawn and archaeological conditions recommended.

- ii) Heritage: No comments are made in relation to the proximity of the Rainham Conservation Area or to listed buildings within Rainham village centre. The application should, therefore, be determined in accordance with national and local policy guidance, and the Council's own specialist conservation advice.

4.5 Environment Agency:

Originally objected to the application on the grounds that there was insufficient evidence to demonstrate that the sequential test had been applied and that the second part of the exception test had not been passed as the site specific flood risk assessment had not demonstrated that the site would be safe, without increasing flood risk elsewhere. There were also concerns regarding habitat protection during works to de-culvert Pooles Sewer. Following the submission of further details and hydraulic modelling these objections have been withdrawn. The sequential test and exception test are now accepted as having been passed. Subject to a pre-commencement condition regarding an updated habitat survey prior to works the Agency has withdrawn its objection in relation to the habitat creation and de-culverting works subject to being implemented in accordance with submitted details.

4.6 Metropolitan Police Designing out Crime Officer:

The designing out crime officer originally raised concerns about the layout of the proposed development and objects unless changes are made. The specific concerns related to:

- The permeability of the site is excessive and provides multiple escape routes for criminals which would increase the likelihood of crime being committed. Two of the proposed routes should be omitted;
- The use of undercroft car parking should be avoided as natural surveillance is restricted. The spaces under Block A and Block B should be omitted. Natural surveillance is also very limited onto some of the courtyard parking areas. The Fog A design should be omitted. The Fog B design should also be changed to remove the undercroft car parking;
- A number of the building types do not have active windows (kitchen, living rooms) facing the front. This reduces natural surveillance into the street. The design should be changed to increase natural surveillance. Clear glass panel adjacent to front doors are also recommended;
- Side windows could be added to end terrace houses to increase natural surveillance. Recommendations are provided for first and ground floor windows;
- Open access in some areas should be restricted using railings;
- Lockable gates should be fitted to all alleyways;
- Access to rear gardens of terraced properties should be limited to a single alleyway, which should also be gated;

- Bin and cycle stores with both internal and external doorways can provide access for criminals so internal doors should be omitted.

Following further discussion revision were made and amended plans submitted on 16th June, 2016, which addressed a number of these points, however, there remain a number of concerns. If the communal entrances to Blocks B, C and D are likely to remain then measures should be introduced to protect users of the pathways leading to the blocks. A 3 metre width pathway is recommended with 1.2 metre high railings to the north with defensive planting. Lighting for this path is also requested. The concerns about undercroft parking for Block A and B remain.

Should planning permission be granted conditions are requested to cover;

- Boundary treatment;
- Lighting;
- Landscaping;
- Parking
- Cycle storage

4.7 Streetcare:

i) Highways: The following matters are raised:

- The transport assessment suggests that the PTAL is 3, but the TfL website indicates a range from 3 (moderate) near to Dovers Corner to 1b (poor) in the south western corner. This will affect the car parking requirement and need for pedestrian linkages through the site.
- The proposed parking rate of 0.95 giving the potential for overspill parking within the site and outside north of New Road. Policy SSA12 requires a range of a maximum of 1-1.5 spaces per dwelling. This implies that the larger dwellings and those with the lower PTAL would be at the maximum end. Consequently proposals are not in accordance with the policy.
- The access design appears likely to promote higher driver speeds and should have a tightened geometry. People crossing the access would need to give way to traffic, which is contrary to the longer term ambitions for the area. A more inset crossing points with priority pedestrians and cyclists would be appropriate.
- Issues raised by road safety audit can be addressed at detailed design stage, including position of bus stop, emergency access and Toucan Crossing in Lamson road.
- East-west walking and cycle link is a requirement of SSA12 and should be to a modern standard. Separate and distinct space should be provided for pedestrians and cyclists to avoid conflicts. A minimum of 3m for cyclists and 2m for pedestrians is recommended. Priority should be given to pedestrians and cyclists where route crosses main spine road. Elsewhere clear separate space should be provided for

pedestrians and cyclists with careful consideration to design of crossing points

- Shared surfaces should be minimised as generally they are hostile to pedestrians and cyclists.
- Central spine generally straight which does not help promote low vehicle speeds.
- At least some of the roads should be offered for adoption to give public right of access, especially walking and cycling links and spine road.

Following these comments changes have been made to the scheme, including the provision of additional parking spaces and access revisions. Now generally satisfied with the proposals, but recommend a condition on the final access details and highway detailing. S106 obligation recommended in the event of the roads not being adopted securing public access over the foot and cycleways and some roads

- ii) Waste and recycling: The layout shows adequate access for collection vehicles, however, there is concern about access to part of the road layout on the eastern side of the development. This is being discussed with the applicant and an update will be given at the meeting.

Further details required on bins storage size and bin details also required.

- iii) Drainage: the drainage strategy is acceptable

4.8 Education Provision and Commissioning:

The proposed development falls in the Rainham and South Hornchurch primary planning area and the South secondary planning area. There is a significant demand for school places within these areas. Additional school capacity is required to meet this demand. The additional school children generated by this development of both primary and secondary age will add to the pressure on places and exceed existing planned available capacity.

4.9 National Grid:

National Grid has assessed the impact on electricity transmission and gas apparatus in the vicinity of the site. There is apparatus in the vicinity of the site which could affect the development and the developer should contact National Grid before any works are carried out. These comprise high or intermediate pressure gas pipelines; low and medium pressure gas pipelines; overhead electricity transmission lines and above ground gas site and equipment. National Grid has set out its requirements that must be met before any works is carried out. There are gas pipelines running north-south through the site and east-west across the northern end of the site.

4.10 Essex and Suffolk Water:

There are no objections subject to compliance with its requirements. There are existing water mains which will require disconnection and modifications may be required to lower the main to enable the access to be constructed. New water mains should be laid within the highway and metered to each new dwelling.

4.11 London Fire Brigade (Water Team):

It may be necessary for new fire hydrants to be installed. The location of these will be determined once plans of the mains layout have been provided by the developer.

4.12 Greater London Authority (Mayor of London):

The Mayor is consulted at pre-decision stage (Stage 1) giving his initial views on the development. Following the comments in the response changes have been made to the proposals that seek to address the matters raised.

In his Stage 1 response the Mayor broadly supports the principle of the development but is disappointed with the poor design quality and lack of detail for a site within a housing zone. This must be addressed before the application is referred back at Stage 2 when a significant improvement in design quality will need to be demonstrated. There is no objection to the loss of employment. The application needs to be referred back to the Mayor following a draft decision by the Council. The application does not currently comply with the London Plan for the following reasons:

- The indication that no affordable housing can be provided raises strategic concerns. A financial viability appraisal is required to inform further discussion on viability and affordable housing. The residential quality, density and playspace are broadly acceptable;
- The layout raises strategic concern as opportunities to maximise connection to the wider area have not been taken. Design and architectural treatment is disappointing. New connections between the A1306, Rainham Village and Passive Close should be created. There are no strategic concerns with the massing or height.
- Further information is required on number and location of wheelchair accessible units and blue badge parking spaces;
- The development is acceptable in terms of flooding and air quality;
- Issues relating to CO₂ emissions need to be addressed;
- A reduction in the level of car parking is sought to help promote alternative modes of transport. There should be increased cycle storage for visitors.

- S106 contribution required towards impacts on bus services, subject to further work on trip generation. Improvements should be made to make the area more attractive for walking and cycling

4.13 Thames Water:

No objections to the application with regard to sewerage infrastructure capacity. There is a pipeline along the eastern edge of the site which has easements and wayleaves. These should not be affected by the development proposals.

The site is close to the Riverside STW and there could be impacts on the development. These do not appear have been addressed in the application. The encroachment of odour sensitive development to sewage works could lead to problems with complaints which did not exist before the development. On this basis Thames Water objects to the application as no modelled odour assessment has been undertaken to establish the amenity impact on future occupiers. A dispersion odour assessment should be carried out. Should this conclude that future occupiers would be adversely affected then funding should be provided for odour mitigation measures.

4.14 Natural England:

Following the submission of further hydrological information Natural England is satisfied that there is unlikely to be a significant adverse effect on either the Ingrebourne Marshes SSSI or the Inner Thames Marshes SSSI. Consequently its earlier objection has been withdrawn.

4.15 Health and Safety Executive:

HSE is consulted as the development is with the consultation distance of gas pipelines. HSE advises against the development. The assessment indicates that the risk of harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case. The possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. If the council is, nevertheless minded to grant planning permission it is required to give HSE advance notice and allow 21 days for HSE to consider whether to request that the Secretary of State call-in the application for his own determination.

4.16 Transport for London (TfL):

TfL's initial comments have been incorporated in the GLA's stage 1 response. However, further comments have been made in response to the revisions. TfL is supportive of the following changes:

- i) Changes to road layout to more closely align with Rainham and Beam Park Planning Framework.

ii) The use of S106 planning contributions to create east-west connectivity and links to local public transport. This will help to reduce reliance on private motor vehicles;

iii) The increased the number of blue badge spaces, but this is still short of the requirement and the provision should be increased accordingly. 2 visitor spaces should also be capable of accommodating blue badge holders.

TfL raises the following matters:

i) Short stay cycle spaces should be identified;

ii) The impact on bus capacity cannot be assessed as the details requested on trip generation have not been provided. Subject to the outcome of this a financial contribution could be required to support increased capacity. This information has now been provided which demonstrates that the impact would be minimal and a contribution is not required;

iii) The existing bus stop outside the site should be moved westwards, to be secured through a S106 agreement.

5. Relevant Policies

5.1 Local Development Framework (LDF):-

Core Strategy and Development Control Policies Development Plan Document (DPD) Policies CP1 (Housing Supply); CP2 (Sustainable communities); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 (Environmental management); CP16 (Biodiversity and geodiversity); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC6 (affordable housing); DC21 (Major developments and open space, recreation and leisure facilities) DC29 (Education 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); DC58 (Biodiversity and geodiversity); (DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC70 (Archaeology and ancient monuments) and DC72 (Planning obligations).

- Evidence base to the Planning Obligations SPD,
- Residential Design SPD,
- Designing Safer Places SPD,
- Sustainable Design and Construction SPD.
- Site Specific allocations DPD - Policy SSA 12;

5.2 Rainham and Beam Park planning Framework

5.3 London Plan:-

Policies: 2.13 (Opportunity and Intensification Areas); 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.6 (Children and young people's play and informal recreation); 3.7 (Large residential developments); 3.8 (Housing Choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes); 3.13 (Affordable housing thresholds); 5.2 (Minimising Carbon dioxide emissions); 5.3 (Sustainable design and construction); 6.13 (Parking); 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) 7.3 (Designing out crime); 7.8 (Heritage Assets and archaeology); 8.2 (planning obligations) and the Housing Supplementary Planning Guidance.

- Parking Standards Minor Alterations to the London Plan;
- Housing Standards Minor alterations to the London Plan
- London Riverside Opportunity Area Planning Framework
- Housing SPG
- Shaping Neighbourhoods: Play and Informal space SPD

5.4 National Policy Documents:-

- Nationally described space standards;
- National Planning Policy Framework
- National Planning Practice Guidance.

6. **Staff Comments**

Strategic application

- 6.1 Planning applications for development of more than 150 new dwellings must be referred to the Mayor of London. Such applications are identified as being of 'potential strategic importance' that could have implications for the delivery of the London Plan. The application must be referred to the Mayor in two stages. The first stage is prior to decision and the comments from the Mayors at Stage 1 are set out in the consultation section of this report. This sets out whether he considers that the proposal complies with the London Plan.
- 6.2 Following the resolution of this committee the decision it intends to take it must be referred back to the Mayor with all relevant documentation, including draft conditions and draft S106 Planning Obligation. The Mayor can then either allow the Council to issue a decision in accordance with the resolution or where the

Council has resolved to grant he may direct the Council to refuse permission. The Mayor may also direct that he is to be the local planning authority for the application. The Mayor has 14 days to respond following receipt of the necessary documentation.

Principle of the development

- 6.3 The site lies within the area covered by LDF site specific policy SSA12 (Rainham West) that seeks to deliver the objectives of LDF policies CP1, CP2, CP9 and CP10. The allocation accepts residential redevelopment together with ancillary community facilities, retail and appropriate employment uses. The policy seeks to retain 33% of the site area for compatible employment use and other uses compatible with residential use. The development of the area is intended to be phased to coincide with public transport improvements. The policy seeks a range of dwelling sizes in buildings predominantly three-stories high. The development should be comprehensive. The Dovers Corner site is one of the blocks of development identified under the policy.
- 6.4 The London Plan identifies opportunity areas within London that are in real need of development and sets strategic policy directions. The opportunity areas are generally brownfield land and include the application site. Policy 2.13 of the London Plan sets out the requirements for planning decisions within the opportunity area. Of particular importance are the need to maximise housing output, promoting inclusive access including walking and cycling and supporting wider regeneration, including improvements to environmental quality.
- 6.5 Development should support the strategic policy directions set out in adopted opportunity area planning frameworks. Annex 1 identifies London Riverside, which includes the application site as an area which should provide a minimum of 26,500 new homes. Within the Havering part the Council's adopted planning framework seeks to achieve 3,250 new homes, of which 1,000 are houses.
- 6.6 The Mayor's London Riverside Opportunity Area Framework (LROAF) identifies the Housing Zone designated along the A1306, which includes the application site as places where new residential development will be supported. New development should encourage a shift to public transport, cycling and walking to minimise the impacts of growing demand on the transport network. It should contribute towards integrated cycle networks that should include quieter streets and off-road routes as well as separate, dedicated facilities on, or alongside, main roads. It also proposes that the current requirement for 33% employment uses be removed from the redevelopment requirement and reflected in the new local plan policies for the area.
- 6.7 The Council's Rainham and Beam Park Planning Framework adopted earlier this year supports the objectives of the LROAF and addresses the general 33% employment requirement and provides more specific proposals for each of the development areas within the opportunity area. This supports a fully residential redevelopment of the Dovers Corner site and this will be reflected in the emerging Havering Local Plan. Whilst the Council's framework is non-statutory

it is a material consideration that reflects the objectives of the LROAF and the future development of the Housing Zone.

- 6.8 Planning permission has previously been granted for the residential redevelopment of the site at a significantly greater scale. Permission for 729 dwellings and commercial development was granted on appeal in 2011. The Secretary of State considered that the proposal complied with relevant development plan policies, including SSA12 and national planning guidance. This decision, including the scale of flatted development is a material consideration in this case.
- 6.9 The redevelopment of the site for entirely residential purposes is considered to be acceptable in principle and in accordance with the relevant national and development plan policies. Site specific policy SSA12 sets the principles for the redevelopment of the site, but the more recent framework documents are considered to carry sufficient weight to override some of the more detailed provisions of the policy. The Rainham and Beam Park Planning Framework is recent and sets a clear vision for the future of the area which accords with the Housing Zone status.
- 6.10 The proposed residential use of the site would also accord with Policy CP1 of the LDF for the provision of housing on brownfield land and would be compliant with Policies 3.3 and 3.4 of the London Plan. There are no objections in principle to the loss of employment and the buildings to be removed from the site are not of any significant architectural or historical interest and there is no objection in principle to their demolition. The development would also accord with the guidance in the NPPF for new housing to meet housing need and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, including the provision of affordable housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. The proposed development would make an important contribution to meeting Havering's housing needs.

Rainham and Beam Park Planning Framework

- 6.11 The Council's adopted planning framework for the area sets a basis for the redevelopment of the site which is based upon the opportunity area designation of the London Plan and the Mayor's own planning framework for the London Riverside Area. The details in the Rainham and Beam Park PF are particularly relevant as they reflect the Council's proposals for the delivery of the Housing Zone in accordance with the opportunity area planning framework. A summary of the main principles of the framework proposals are set out in the following paragraphs.
- 6.12 The framework proposals for the site include a mixture of apartments and town houses with a capacity of 60-80 units per hectare. Just under half of the units should be houses. The scale of the development would be four-storey fronting onto New Road and two and three-storey elsewhere within the site. The development should be street based with continuous frontages, including

residential courts and mews streets, creating a safe environment. Development should be orientated towards New Road, Rainham Creek and the Havering Main Sewer, overlooking the public realm.

- 6.13 The development principles also include the need to open the Pooles and Havering Main Sewer to help reduce the flood risk to the site and to provide improve natural habitat. It also includes providing cycle and pedestrian linkages through the site with new bridge links over the New Havering Sewer, and over Rainham Creek. The framework proposes the creation of a tree-lined linear park along the A1306 corridor reducing the width to provide a single carriageway. This will create a new public realm and increased public space including play space and pedestrian and cycle routes. This will link Dovers Corner with Beam Park and cross the frontage of this site.
- 6.14 A grant of up to £1.5 million for the diversion of the gas pipeline across the northern part of the site and diversion of the sewer is available which will release 0.25 hectares more land for development. It identifies the Dovers Corner site as having marginal viability so there is also a grant of £1.62 million for affordable housing.
- 6.15 In order to help delivery the framework proposals S106 contributions will be sought towards affordable housing, addressing the demands of the development on school spaces, construction of new bridge linkages across Rainham Creek and Havering Main Sewer and further access routes to New Road and to help create the linear park.

Scale, Density and Site Layout

- 6.16 The proposed density of development is 68 units per hectare which lies within the range set out in the Rainham and Beam Reach Planning Framework. The density matrix in Policy DC2 indicates that the site is suburban in character with a PTAL value of 1-2, giving a density of 30-50 units per hectare with 1.5 to 2 spaces per dwelling. However, the Transport for London PTAL rating is 2-3 for most of the site and in line with the R&BRP Framework's proposals a higher density and lower parking provision is considered appropriate. Policy DC2 also allows exceptions on large development sites where development briefs have been prepared. In view of the Framework's proposals staff consider that the proposed density is acceptable. In considering these issues Members will need to also have regard to the much higher density scheme for 729 dwellings at 125 units per hectare previously permitted which also provided less parking per dwelling.
- 6.17 The scale of the proposed development is predominately two and three storey, however the north and south of the development would be characterised by four-storey flats. There would be a single five storey block close to Dovers Corner as a feature building creating a focal point for the new development corridor proposed along New Road. The R&BPP Frameworks sets a general height limit of four storeys along New Road, however, proposals for feature buildings or high density development outside of the building height zones will be considered case by case on individual merit. The increased building height

along the corridor is intended to emphasise the important role of this central area and provide legibility. There is a special case for the four-storey development adjacent to the railway as this would help to enclose the space at the end of the site and reduce the visual and noise impact of the railway.

- 6.18 Staff consider that the scale of development is appropriate to the site and meets the general requirement of policy SSA 12 which specifies 'predominantly three-storey' and the design principles of the Framework. A feature building on the corner is considered acceptable in the context of the sites location. In considering this members may wish to have regard to the 2011 appeal decision where the Secretary of State agreed with his Inspector that the proposed storey height (up to nine stories) on the site was justified in this case given the presence of the Dovers Corner Roundabout and other topographical features.
- 6.19 The Dovers site is physically divorced and visually isolated from the urban context of Rainham Village to the east and suburban residential development to the north by substantial highway infrastructure. The ground levels of the site are also lower than those adjacent to the A1306 and to the north. This would help to reduce the impression of scale. The five storey block by Dovers Corner roundabout can be justified in design terms as it marks the 'entrance' to the New Road new development and would provide a landmark feature to the start of the development area. It would be sufficiently separate from the more intimate scale of development of Rainham Village beyond the Tesco store in Bridge Road.
- 6.20 The proposed layout accords with the design principles in the R&BPP Framework, providing a coherent urban structure. The layout would be street based with a strong north-south spine route which follows the line of a major service corridor. The layout has evolved throughout the application process with the east west pedestrian and cycle link forming the dominant feature with 'calmed vehicle' crossing points. There would be east-west linking road off the main spinal route providing access to the eastern and western parts of the site. However, there would not be a complete link around the site providing a series of mews developments. The layout is designed to be outward facing with the dwellings on the edge of the site facing New Road, Rainham Creek and the Havering Main Sewer. The blocks adjacent to the railway would generally face into the site and over car parking areas.
- 6.21 Parking is proposed in a series of parking courts for the apartments and for the houses. There would also be on-street and frontage parking for the remainder of the houses. The dwellings facing Rainham Creek and Havering Main Sewer would have on street parking bays within landscaped areas which would enable the buildings to be brought to the front of the plots to give a clearer edge to the build development.
- 6.22 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. While such relationships are not ideal they can be difficult to avoid in a development of this scale and improvements have been made during the course of the application.

Staff consider, as a matter of judgement, that the proposed dwellings would enjoy an acceptable level of amenity. Overall staff consider that the proposed layout is acceptable and would meet the design guidance in the R&BP Planning Framework and satisfactorily address the specific character of the site and adjoining features, such as Rainham Creek.

Design/Impact on the streetscene

- 6.23 During the course of the application the design of the new dwellings has evolved to address the concerns of Staff and the GLA that the original proposals did not demonstrate an acceptable quality of design. The design changes had lead to areas of different character being included within the site. These include three-storey houses along the Rainham Creek frontage which include design features and scale of traditional wharf buildings. This reflects the creek's commercial past. A mixture of house types and materials facing towards the Havering Main Sewer is now proposed that gives an improved character to this edge of the development. Elsewhere material detailing has been changed to improve the overall appearance of the development. The apartment blocks were also been changed to simplify the materials and roof design, and to provide entrances fronting onto New Road. Together these changes are judged to provide a marked improvement in the overall design character and in terms of design and materials the development is considered acceptable.
- 6.24 The changes made to the layout and design of the development provides for the proposed dwellings to be outward looking in accordance with the design principles set out on the Rainham and Beam Park Planning Framework. There would now be design continuity throughout the scheme and distinctive character areas. As such Staff consider that the development would have a positive impact on the character and appearance of the area. It would meet the requirement set out in the NPPF for achieving high quality design to meet sustainable development principles. Overall Staff consider that in terms of layout and design the proposals would accord with development plan policies and the guidance in the NPPF.

Impact on amenity

- 6.25 The site is well separated from the main residential areas of Rainham and South Hornchurch by the highway infrastructure and Rainham Creek. However, adjacent to the site on the west side of the Havering Main Sewer is the recent Passive House (Passivhaus) development. The Havering Main (Pooles) Sewer runs between the two sites in the form of an open drainage ditch. Some of the proposed development would face toward the Passive House dwellings. The separation between the existing and proposed housing would be about 45 metres. The frontage of the dwellings would face each other and once the development is complete there would be no harmful impacts on existing residential occupiers. However, during the course of construction there would be the potential for some disturbance from noise and machinery. This addressed in the application details and can be formally agreed prior to

commencement of any construction or demolition through the agreement of a construction method statement.

Parking and Highway Issues

- 6.26 In terms of parking requirements there have been recent revisions to the parking in the London Plan which are reflected in the Rainham and Beam Reach Planning Framework. These represent the most up to date parking standards for the development. Policy 6.13 of the revision indicates that there should be an appropriate balance between promoting new development and preventing excessive car parking provision than can undermine cycling, walking and public transport use. Table 6.2 sets out maximum parking standards. New development must also ensure that 1 in 5 spaces provide: i) electrical charging points, ii) parking for disabled people; iii) meet minimum parking standards and iv) business needs for delivery and servicing. In outer London a more flexible approach for applications may also be acceptable in some limited parts of areas within PTAL 0-1 locations, where boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures.
- 6.27 The site has a PTAL rating of 3 towards the front adjacent to the New Road access, with PTALs of 2 and 1a towards the southern end of the site. The construction of new cycle and footpath links to Rainham station would help improve the site's accessibility to public transport. On the basis of a PTAL of 3 the standards sets maximum levels of 1 space for one and two-bed units, up to 1.5 spaces for three- bed and 2 for four-bed. Cycle standards are one space for one-bed units and two for all other, plus additional parking spaces for visitors.
- 6.28 The Rainham and Beam Reach Framework states that a mix of on-street and on-plot parking would be acceptable and the scheme has been designed on this basis providing just under one space per dwelling. The R&BR Planning Framework specifies up to 0.5 spaces per one-bed unit; up to 1 space per two-bed unit, 1.5 per three-bed and 2 spaces for four-bed. The current LDF standards in Policy DC2 indicate a maximum parking provision of 1-1.5 spaces per unit for PTAL 3-4 at 50-80 units per hectare, which is the proposed density in this case.
- 6.29 The proposal is to provide 396 spaces for the 396 dwellings which have been increased from 377 spaces in the original submission. There would also be 19 visitor spaces. The proposed parking would be less than the maximum in the LDF and the new London Plan parking standards. Where there is less than one space per unit DC2 requires that restrictions are placed on occupiers of flatted development so that they are ineligible for resident parking permits. Whilst the parking levels have been increased to provide a ratio of one space per unit this is at the bottom end of the range. There are three and four bed units proposed and whilst there are currently no controlled parking zones in the vicinity of the site, such a restriction is considered appropriate through the S106 obligation given the potential for overspill parking in existing streets, to cover any future designations. The maximum parking in accordance with the recently published London Plan Parking Standards would be 444 spaces based on the housing

mix proposed. Where there is good public transport accessibility the aim should be for significantly less than one space per unit. The GLA in its Stage 1 response has stated that there should be a reduction in the level of parking over that proposed.

- 6.30 In judging the acceptability of the parking level proposed members will need to have regard to the approved Weston Homes scheme. This was assessed against the same LDF policies and London Plan parking standards. That scheme proposed 627 parking spaces for 729 dwellings (0.86 per unit) which was considered acceptable by the Secretary of State in his appeal decision. The currently proposed provision would be at a higher ratio. Account should also be taken of the improved linkages to Rainham that would occur with the construction of a new crossing over Rainham Creek to be funded through the development. This would reduce the distance for future residents who wish to walk or cycle to the station or village centre and also help reduce car usage. Linkages to the west will in the longer term improve access to the new Beam Park station and there would be easy access to a nearby bus stop in New Road. In view of these factors Staff consider that this level of provision is acceptable and in accordance with the LDF and London Plan adopted standards, which are also included in the Rainham and Beam Park Planning Framework.
- 6.31 It is proposed to provide travel packs to new residents providing information to encourage sustainable travel modes. There would also be 792 secure cycle spaces and an additional 10 secure visitor spaces. In terms of trip generation the forecast is for there to be more than is currently generated, but significantly less than forecast for the consented (2011) Weston Homes scheme. The proposed access is considered acceptable in terms of anticipated trip generation and there would be no material impact on the operation of New Road and Dovers Corner Roundabout junction. The development would, therefore, have a negligible impact on the local highway network.
- 6.32 Transport for London which is responsible for the A1306 has responded to the revised transport assessment indicating that there remain a number of concerns which have not been adequately addressed. The scheme was considered deficient in blue badge parking spaces and the spaces that are adaptable to meet Part M of the Building Regulations, and the visitor parking spaces had not been identified. These are matters have now been addressed and revised plans submitted showing this provision. With regard to trip generation and mode share, there was originally a lack of clarity on the potential impact on bus capacity. Whilst the current proposal is for significantly fewer homes than the Weston Homes scheme, there have been a number of other schemes have come forward in New Road since. These could impact on bus capacity, however, additional information has been provided that demonstrates that the impact would be minimal and TfL as agreed that a financial contribution is not required to address this. TfL also recommend westward movement of the existing bus stop. The recommendation includes provision for this to be included in a S106 agreement.

- 6.33 The proposed site layout has been designed in accordance with 'Manual for streets' to keep traffic within a target of 20mph. The road layout is considered acceptable in terms of servicing and refuse collection subject to detailed agreement with the collection service. There would be a single access to and from the site onto New Road, with an emergency access onto Lamson Road. This access would also provide a pedestrian and cycle link to Lamson Road prior to the construction of a new bridge across Rainham Creek.
- 6.34 In terms of cycle and pedestrian linkages the proposed layout includes three connections northwards to New Road, with a further two connections to Bridge Road, including the bridge across Rainham Creek. There would be a strong east- west link through the centre of the site providing a green pedestrian and cycle route that links to the other routes. A further bridge is proposed across the Havering Main Sewer to the west which would provide linkages to Havering College and eventually to Beam Park and Beam Park Station. The site would, therefore be well connected by pedestrian and cycle routes that would meet the objectives of both the London Riverside Opportunity Area and Rainham and Beam Park Planning Frameworks. This connectivity would help to encourage a reduction in car usage in accordance with NPPF and development plan policies.

Flood risk and sustainable drainage

- 6.35 There are two main water courses within the vicinity of the site. The River Ingrebourne flows in a south-westerly direction towards Dovers Corner where it becomes Rainham Creek which flows along the eastern boundary of the site. The Pooles Sewer emerges from the Dovers Corner Flood Storage Area (FSA) immediately upstream and downstream of New Road, flowing westward in a culverted section across the northern part of the site before discharging into the Havering New Sewer which runs along the western boundary.
- 6.36 Much of the site lies within Flood Zone 3 where there is a high probability of flooding. This zone is the most vulnerable and residential development is only appropriate subject to passing two tests in accordance with the guidance in the NPPF and NPPG.
- 6.37 The site has flood defences along the banks of Rainham Creek and there are tidal defences along the Thames, including a sluice where Rainham Creek exists into the river. Modelling of flood risk indicates that the site is not directly affected by the Pooles Sewer, but from the overtopping of the Dovers corner Flood Storage Area. In order to address this it is proposed to de-culvert parts of the Pooles Sewer to provide greater capacity.
- 6.38 National guidance on flood risk requires that 'more vulnerable' development, such as housing, should pass what is known as the sequential and exception tests. The aim of the sequential test is to steer new residential development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. If, following application of the Sequential Test, it is not possible, consistent with

wider sustainability objectives, for the development to be located in zones with a lower probability of flooding; the Exception Test can be applied if appropriate.

- 6.39 The housing site allocations in the Site Specific allocations DPD adopted in 2008 were made to meet Havering's housing needs at that time and included sites situated within lower flood risk zones. These have already been developed or have planning permission. Therefore, there are no sequentially preferable sites that have been identified as suitable for housing that could accommodate the proposed development that are currently available and that would enable Havering to meet its housing needs. There are additional sites being considered as part of the Havering Local Plan preparation, including those identified with the Rainham and Romford housing Zones, however, these have yet to go through detailed assessment, including sequential testing.
- 6.40 As there are no sequentially preferable sites available, the exception test needs to be applied. For this to be passed;
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
 - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 6.41 Both elements of the test will have to be passed for development to be allocated or permitted. A flood management and drainage strategy has been produced to support the Rainham and Beam Park Planning Framework. This identifies a risk of flooding during the 1:100 year event, including climate change, when taking existing flood defences into consideration. The report also identifies the opening of the Pooles/Havering Main Sewer as one management option to reduce flood risk. The opening up of the sewer would leave only a small part of the site in the northeast corner at risk. Leaving this as open space would mitigate this risk. Proposals for the de-culverting of the sewer form part of the flood risk assessment (FRA) submitted with the planning application. The modelling details have been assessed by the Environment Agency and found to be acceptable.
- 6.42 Staff have assessed the proposals in relation to the first category of the Exception Test and consider that the implementation of the scheme would help to meet major priorities of both the Mayor and Central Government to deliver significant amounts of new housing. The site lies within a housing zone designated by the Mayor where grant funding is available to help this delivery. In the light of this Staff have concluded that the development would provide wider community benefits.
- 6.43 A site-specific flood risk assessment has been submitted that demonstrates that the development will be safe for its lifetime and the Environment Agency has

confirmed that this passes the second part of the test. In view of these conclusions it is considered that the Exception Test has been passed and the development can be considered acceptable in flood risk terms.

- 6.44 The proposal would reduce the impermeable surfaces by a minimum of 40% across the site by introducing green spaces, including residential gardens, public open spaces and permeable paving. Surface water generated from the site would be attenuated up to the 1 in 100 year storm event plus a 30% allowance for climate change. Sustainable urban drainage systems (SuDS) would be implemented in the form of above ground attenuation areas, permeable paving and downstream defender to provide attenuation and treatment prior to runoff being discharged into Pooles Sewer and the Havering Main Sewer at a controlled rate.
- 6.45 The submitted drainage strategy seeks to achieve a minimum of 50% reduction of the Site's surface water runoff at peak times in accordance with the London Plan Sustainable Design and Construction Supplementary Planning Guidance. Thames Water has confirmed that there is sufficient capacity in the combined sewer onsite to accommodate for the foul water flows generated from the proposed development.
- 6.46 Overall there is a low risk of fluvial, groundwater, surface water flooding from artificial sources once the mitigation measures and the proposed drainage strategy are implemented. The Site has a low residual risk of tidal flooding. The development would not increase the risk of flooding elsewhere as a result of surface water run-off. The proposed finished floor levels would be set above the 1 in 100 year flood event plus climate change to provide additional protection for the lifetime of the development.

Contamination and ground conditions

- 6.47 An assessment of ground conditions has been submitted with the planning application as part of the Environment Statement. This considers the potential impact from contamination both during construction and on future occupiers of the development. The proposed development site is currently an active industrial estate and there is the potential for contaminant and contamination linkages to exist. The site was once marshland before being drained and used for agriculture. Industrial use started in about 1939, with most of the current buildings being constructed in the 1970's and 1980's.
- 6.48 Ground investigations have identified high concentrations of lead, arsenic and vanadium. In some parts of the site the lead levels are significantly higher than the guidance levels for the assessment of risk to human health. The assessment has identified that there are unacceptable concentrations of potential contaminants within the underlying soils in the site that pose a potential risk to public health. Potential pollution linkages will exist in developed gardens and areas of soft landscaping. In addition some hydrocarbon concentrations were identified. In terms of ground gas no significant risk was identified. The development would not pose a significant risk to the

Ingrebourne Marshes SSSI or the Inner Thames Marshes SSSI from ground water pollution.

- 6.49 To bring the risk to acceptable levels and remove pollution linkages engineering solutions are required that will remediate contaminated areas. Measures will be required to ensure that construction workers and any adjoining occupiers are adequately protected during site preparation and construction works. Surface layers will be required to be removed from parts of the site and clean materials introduced to form a barrier to break pollution linkages and some form of gas barrier may also be required in parts of the site. Subject to suitable conditions to address these matters the development would comply with development plan policies and national guidance.

Noise and vibration

- 6.50 The potential impacts both during construction and occupation have been assessed as part of the application. Surveys of existing noise and vibration were undertaken, including that associated with the existing railway lines. The Council has also undertaken noise assessments in relation to the Rainham and Beam Park Planning Framework development proposals which conclude that with suitable noise attenuation rail and highway noise would not have an unacceptable impact. Vibration is unlikely to be an issue post development but there could be adverse impacts during development, especially as parts of the sites could be occupied during the construction of later phases. Noise and vibration impacts during construction can be addressed through details provide in a construction and demolition method statement which would need to be agreed prior to commencement.
- 6.51 The R&BP Planning Framework highlights that potential noise attenuation measures from rail and highway noise may include suitable glazing, mechanical and trickle ventilation systems for properties in closest proximity to the road noise sources. Further, residential properties could be set back from the main carriageways and rail line and acoustic barriers provided to achieve sufficient reduction in noise levels to meet relevant guidelines. The apartments to the south would be set back at least 20 metres from the railway lines which would enable suitable noise levels to be achieved without overly onerous noise mitigation. The apartments to the north would be 35 metres from New Road and acceptable internal levels in accordance with the relevant standards can be achieved. The road is due to undergo carriageway changes, including changes to the roundabout that would reduce traffic speeds in the medium term.

Odour and air quality

- 6.52 In terms of odour, the B&BP Planning Framework states that the Riverside STW has been identified as a potential source of odour which may impact on the proposed development. The odour assessment conducted on behalf of LB Havering has concluded that the Riverside STW will lead to insignificant odour effects at all of the proposed development plots. This conclusion has been reached through the conclusions of the odour risk assessment, sniff-testing, and complaint record data provided by LB Havering. The R&BP Planning

Framework therefore considers that the odours generated by Riverside STW should not provide a constraint to the development of residential properties at any of the proposed development sites.

- 6.53 The R&BP Planning Framework requires all development sites to be constructed in accordance with the Mayor of London's Supplementary Planning Guidance on the Control of Dust and Emissions from Construction and Demolition. A condition is recommended to address this and the control of non-road mobile machinery requested by Public Protection.

Heritage

- 6.54 The impact of development on heritage assets in Rainham village, including the conservation area, was a major concern in relation to the 2008 Weston homes proposal. This arose mainly due to the height and scale of the development proposed. Notwithstanding this the Secretary of State concluded that there would be no material impact. This proposal is of a much smaller scale and is judged to have no material impact on the character and appearance of the conservation area. No objections or concerns have been raised by Historic England on this issue. The development site is sufficiently divorced from any heritage assets not to fall within their setting.
- 6.55 However, Historic England has raised concerns regarding archaeology, in particular in relation to the possibility of a Bronze Age trackway crossing the northern part of the site. The existence of the trackway was identified during excavations for the Tesco development; however, it was not identified during excavation prior to the Passivehaus development. Historic England has asked for further work to be undertaken to establish the possibility of the trackway being present. It is considered to be of national importance and should be preserved in-site. Details have now been submitted which are acceptable to Historic England. Conditions are recommended that require the submission of further details prior to commencement of any demolition to protect the archaeological assets.

Secured by design

- 6.56 The Metropolitan Police Designing out Crime Officer has raised objection to the revised proposals. Following discussion a majority of these issues have been resolved as set out in the consultation section of this report. However, the officer remains concerned about the number of access points which could provide escape routes for criminals. In such circumstances a balance needs to be struck between permeability of a site through pedestrian and other linkages and discouraging crime. Staff have judged that the linkages proposed are necessary to provide an acceptable layout for the site that meet the objectives of the various planning frameworks. Other concerns can be addressed through conditions.

Ecology

- 6.57 The site has a number of watercourses on or close to its boundaries, including Pooles Sewer, Rainham Creek and the Havering New Sewer. Along the railway line to the south of site is a bank which is covered in poor semi-improved grassland which has encroached onto the site. The main habitats on site are buildings and hard-standing. Some vegetation was growing through the hard-standing. There are other habitats in close proximity to the site, including the Ingrebourne Valley SSSI and a number of ponds in the sewage works south of the railway. The impact of the development on these habitats has been assessed in the Environmental Statement and a mitigation plan proposed.
- 6.58 The measure proposed include: Water bodies adjacent to site, including Rainham Creek which lies adjacent to the Site's eastern boundary will be protected during the construction phase of the development by pollution control measures. A physical barrier already lies between this habitat and the site and so no construction workers will be able to access the banks of this river. Any lighting used onsite will be directed away from Rainham Creek and Pooles Sewer to reduce disturbance to the fauna associated with this area.
- 6.59 Measures will also be taken to protect reptiles, bats and breeding birds which would include exclusion fencing to prevent reptiles entering the site. The adjoining water courses are likely to provide habitat for water voles which will need to be protected during the course of the development using security fencing. The works to open up the Pooles Sewer would provide additional habitat for water voles. A detailed habitat creation scheme has been submitted for the Pooles Sewer de-culverting. The water course will have a landscaped buffer to protect the habitat from encroachment. Two bat boxes would be provided. Further habitat would be provided along the southern boundary to encourage reptiles. The development would have no material impact on water levels in the nearby SSSI and no objections have been raised by Natural England.

Infrastructure impact of the development

- 6.60 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.
- 6.61 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.

- 6.62 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.
- 6.63 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.
- 6.64 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.
- 6.65 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. Evidence has been provided from the Council's education service that there is a shortage of school places at both secondary and primary level in the Rainham area.
- 6.66 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, except in the London Riverside Area where a lower figure of £4,500 was agreed to reflect the increased costs of bringing sites within the area forward for redevelopment. This is a discounted rate that takes account of the Mayor's CIL. In these circumstances it is considered that the lower figure is reasonable when compared to the need arising as a result of the development.
- 6.67 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 £4,500 per dwelling would be appropriate.

- 6.68 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. There would be 396 units and a charge of £1.782 million is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.
- 6.69 Other contributions are considered necessary to make the development acceptable in accordance with LDF Policy DC72 and the guidance in the Rainham and Beam Park Planning Framework. The Mayor's LROAPF identifies the need to improve linkages between Rainham Village and Chequers Corner along the A1306 through a linear park along its length which reduces the width of the carriageway and provides an enhanced public realm. It also refers to the enhancement of the spaces on either side of the Creek near to Bridge Road and a direct linkage across the Creek from Rainham through the application site to provide improved access to local amenities and transport. These ideas are taken forward in the Rainham and Beam Park Planning Framework. Whilst non-statutory it provides clear guidance on the delivery of the LROAPF objectives. The two frameworks identify the need for improved pedestrian and cycle linkages across Rainham Creek to provide better access from the newly developed housing area to the south of the A1306 to Rainham Village and Rainham Station. Linkages through the site to the linear park are also considered appropriate and a connection to the west to the Havering College site.
- 6.70 Some of the land involved in these linkages is not part of the development site, as it is owned by third parties, including the Council. In these circumstances a financial contribution is considered appropriate to secure delivery. A sum of up to £1.5 million pounds has been estimated as necessary. This is to be secured through S106 obligation in accordance with LDF Policy DC72 and the R&BP Planning Framework. It is also recommended that the terms of the S106 include the option for the developer to carry out the bridge works in lieu of part of the contribution. The specification for the works and timing of implementation would be agreed with the Council and this route could ensure quicker delivery. As the applicant does not own all the land involved access rights would need to be granted. The Council owns land adjacent to Rainham Creek, but access to other land would need to be negotiated.
- 6.71 There are other matters that are proposed to be covered by a S106 obligation to cover:
- Local recruitment and training strategy;
 - Relocation of bus stop on A1306;
 - Provision of travel packs to new residents;
 - Restrictions of applications for resident parking permits in Rainham area
 - A public access agreement for all cycle-pedestrian routes and certain roadways in the event of the routes and roads are not formally adopted;
 - Management and maintenance of SuDs, open space and non-adopted roads;

These matters are considered necessary to make the development acceptable in planning terms and are reasonably relate to the proposed development.

Affordable Housing

- 6.72 LDF Policy DC6 and London Plan Policies 3.11 and 8.2 require that new housing development should provide affordable units. The objective in DC2 is to deliver 50% of new homes across the Borough as affordable and Policy 3.11 seeks to maximise provision. Policy 8.2 sets out the Mayor's priorities for planning obligations, placing the highest strategic priority on contributions to affordable housing and transport infrastructure. In determining the level of contribution account must be taken of the Mayoral CIL charge. It should also be recognised that other benefits sought through S106, such as education contributions and infrastructure improvements may limit affordable housing provision. The Mayor's objective within the Housing Zone is to achieve between 30% and 35% affordable units.
- 6.73 The LROA Planning Framework identifies the need to provide more intermediate affordable housing provision given the general high level of rented affordable housing in London Riverside. Within the opportunity area grant is available for individual sites to assist with the delivery of affordable housing. The area is more affordable than other parts of London as it generally has lower house prices giving good value for money given the high quality of design that is being sought. This aspect of affordability needs to be taken into account when considering the overall provision of affordable housing. Given the constraints on new development, such as contamination and flooding, a degree of flexibility is required, including on levels of affordable housing. Given that the site lies within one of the Mayor's Housing Zones grant is available specifically for affordable housing. In this case the grant that has been earmarked for the site is £1.62 million. In addition there is other grant amounting to £1.32 million that is available to the Council for use within the Housing Zone that could bring about further provision and a bid has been put in by the Council's housing service to purchase units on this site. Details of this have yet to be finalised but this would help to achieve the Mayor's objective. To ensure that steps are taken to seek to ensure the grant is utilised a clause is recommended in the S106 obligation.
- 6.74 The application as originally submitted did not propose that any affordable housing would be provided as part of the development other than where grant is available. A viability appraisal has been submitted with the application that seeks to demonstrate that the scheme would be unviable if affordable housing is required. This takes account of the site's development costs and contributions for infrastructure works, education and Mayoral CIL. The appraisal has been independently assessed for the Council and it has been satisfactorily demonstrated that the development could not support any affordable housing above that for which grant is to be allocated and remain viable.
- 6.75 The conclusions of the independent assessment recommend that a review mechanism during the final phases of the development should be sought to

consider the actual costs. Should savings be identified then these should be shared equally between the Council and developer. Any surplus could be spent on affordable housing on the site or elsewhere within the housing zone. GLA staff have been consulted on the appraisal and the progress of the assessment and have advised that, notwithstanding the viability position it will be necessary to maximise delivery by other means, including utilisation of the available grant available. The development should seek to deliver in the region of 35% of units as affordable housing. Forms of discounted market housing may be acceptable in achieving this level of provision. The delivery of these levels of affordable housing is a priority of the Mayor within the housing zones.

- 6.76 In the light of the conclusions of the viability review and the advice from the GLA, Staff have negotiated with the applicant to seek to maximise the delivery of affordable housing on the site. This has resulted in an offer of delivering between 59 and 114 affordable units (15% -28%), utilising the various grants available, based upon information from Registered Providers (Housing Associations etc.). The exact number would be dependent on the entire grant being available and the mix and tenure type. The lower end of the range is the number should all the units be for affordable rent and the higher end intermediate housing (shared ownership). In addition a further 25 units is offered as 'discounted market' units to be offered at 90% of market value. This could deliver up to 35% affordable which would meet the Mayor's target. The Rainham and Beam Park Planning Framework indicates a 50:50 split between social housing and intermediate, whilst the LROA Planning Framework seeks to increase the proportion of intermediate housing. The mix that would be provided using the available grant would be subject to negotiation and local needs. A balance needs to be struck between the objectives of the two planning frameworks.
- 6.77 The applicant proposes that the provision of the discounted market units are only offered if there is no review mechanism of the overall development costs towards the end of the scheme. Should the Council opt for a review mechanism it is proposed that it would be applied prior to the occupation of the final dwelling and would assess the actual developments costs. Any saving the developer had been able to make would be shared 50/50 with the Council. The Council's share of any surplus would be used to provide additional units on site or used elsewhere within the housing zone. Should there be a deficit then the developer proposes that any discounted units that remain on site could be sold to recoup this deficit. Staff consider that on balance and subject to being able to negotiate suitable terms for the delivery of these units, that the offer would secure some discounted units as part of the development as opposed to a review which would probably not deliver any at all on site and may not generate any income for use elsewhere. As a consequence a review mechanism is not the recommended approach and it is recommended that this option is chosen.
- 6.78 The proposals made by the developer would deliver up to 35% affordable/discounted units which would achieve the target for the housing zone. Most of this would be funded through grant currently available from the GLA. Should this not be available at the time of the development it is proposed that the Council or Registered Provider could purchase a similar number of

units using other funding mechanisms. The high redevelopment cost of this site and others within the housing zone is recognised in the London Riverside Opportunity Area Planning Framework and grant funding has been made available to help fund affordable housing given the viability issues. Staff consider that what is being proposed, subject to agreement of the detailed delivery mechanism is reasonable and would accord with LDF Policy DC6 and London Plan Policies 3.11 and 8.2.

- 6.79 In terms of the balance between the competing demands on funding of affordable housing provision and infrastructure improvements Staff consider that the proposed public accessibility linkages and other public infrastructure improvements are important to the development of the site and are essential elements for the delivering of both the Rainham and Beam Park Planning Framework and the London Riverside Opportunity Area Planning Framework. Without these improvements the development would be unacceptable and as a matter of judgement Staff consider that the available money should in part be used for these purposes.

Energy/CO₂ reduction

- 6.80 The energy report submitted with the application sets out how it is proposed to achieve the 35% CO₂ reduction against Part L of 2013 Building Regulations in line with the target in Policy 5.2 of the London Plan. Policy 5.6 requires that the feasibility of decentralised energy systems be evaluated as part of development proposals.
- 6.81 The GLA's Stage 1 report sought further exploration of a site wide heat network. The area is identified in the London Riverside Opportunity Area Planning Framework as a target for deployment of a district heating network. The submitted details proposed the provision of photovoltaic units on individual properties and this has been reassessed in light of the Stage 1 comments. The energy hierarchy approach in Policy 5.6 B has been considered and revised proposals made.
- 6.82 The conclusions of the Council's energy masterplan for the area found that there were limited opportunities to establish a district heating network in the medium term. In view of this the applicant considers that within the lifetime of the development such a network is unlikely to be available. However, an on-site system could be provided that would have the ability to be linked to a wider system in the future.
- 6.83 The energy proposals have been amended to include communal boilers with CHP to serve the apartments only with houses retaining individual boilers and photovoltaic panels. The energy centre would be in apartment block D which would house the necessary equipment. A small stack would be required above roof level for flue gases. The proposals would result in there being a reduction of two of the ground floor units resulting in 394 dwellings. These revised proposals are considered acceptable in relation to LDF Policy DC50 and London Plan Policies 5.2 and 5.6.

7. Mayor's Community Infrastructure Levy (CIL)

- 7.1 All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. The existing floorspace has been lawfully used within this period. The net new build floorspace would amount to 16,922 square metres and the CIL rate is £20 per square metre giving a CIL liability of £338,440

8. Conclusions

- 8.1 This is a full application for the redevelopment of the site for the construction of 396 dwellings, comprising 221 apartments and 175 houses. The development is considered to accord with the principles set out in Policy SSA12 of the Site Specific allocations DPD, the Rainham and Beam Reach Planning Framework recently adopted by the Council and the Mayor's London Riverside Opportunity Area Planning Framework.
- 8.2 Staff have negotiated changes to the design and layout of the development since the original submission. The changes made to the layout and design of the development provide for the proposed dwellings to be outward looking in accordance with the design principles set out on the Rainham and Beam Park Planning Framework. There would now be design continuity throughout the scheme and distinctive character areas. The relationship between residential units is generally acceptable and there would be adequate amenity space, including open areas. Staff consider that, as a matter of judgement the development the proposals would now have a positive impact and would help achieve the regeneration objectives for the area. The development would also accord with the principles for sustainable development set out in the NPPF.
- 8.3 Staff consider that the scale of development is appropriate to the site and meets the general requirement of policy SSA 12 which specifies 'predominantly three-storey' and the design principles of the Framework documents. A feature building on the corner is considered acceptable in the context of the sites location. Parking would be in accordance with the Rainham and Beam Reach Planning Framework and the updated standards that form part of the London Plan.
- 8.4 The development is considered acceptable in flood risk terms following the opening up of the Pooles Sewer across the north of the site which means the site would be flood free throughout the lifetime of the development. The development would also be acceptable in terms of contamination. Preliminary investigations have detected high concentrations of some contaminants. This would be addressed as part of the development to ensure that any pollution linkages are addressed both to safeguard future occupiers and during construction works those working on the site or living in close proximity.
- 8.5 In order to make the development acceptable staff consider that a series of S106 contributions are necessary. This includes contribution towards meeting the impact of the development on education, improving accessibility to and from

the site and helping to develop the linear park along the A1306. A contribution of £1.5 million is considered necessary to achieve these.

- 8.6 New residential schemes should, subject to viability make provision for affordable housing within the development. The viability report submitted with the application seeks to demonstrate that the scheme could not support any affordable housing without grant and remain viable. This has been independently reviewed on behalf of the Council and the conclusions on viability are considered reasonable. The proposal to provide a combination of affordable units through grant funding and discounted market units amount to a 139 units (35%) based upon a bid price of £35,000 per unit, is considered acceptable in light of the conclusions on viability. The exact number would be determined in light of formal bids by Registered Providers and the Council, and the grant funded bid price. Staff consider that the development would be acceptable in terms of affordable provision and meet the objectives for the housing zone and LDF Policy DC6 and London Plan Policies 3.11 and 8.2.
- 8.7 Staff consider that the proposals are acceptable in all material respects and that planning permission should be granted subject to no contrary direction from the Mayor of London, no call-in by the Secretary of State, the prior completion of a S106 planning obligation and planning conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

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

None

Legal implications and risks:

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

Human Resources implications and risks:

None

Equalities implications and risks:

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

BACKGROUND PAPERS

1. Application form, plans and Environmental Statement received: 03-07-2015
2. Revised Plans Received: 24-03-2016, 16-06-2016, 22-07-2016 & 29-07-2016
3. Addendum to Environmental Statement Received: 04-05-2016

APPENDIX 1

SCHEDULE OF PLANNING 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 the first page of the decision notice, other than where these have been modified by the specific approval of details under the conditions set out below.

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. *Accordance with Environmental Statement and mitigation measures* - The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to this application, including appendices and addendum documents submitted in July 2014 and April 2016, and any additional submission documents.

Reason: To ensure that the development is carried out in accordance with the appropriate standards, measures, requirements and methods set out in the environmental statement and the mitigation measures identified therein.

4. *Phasing* - The development shall be carried out in accordance with the construction phasing plan drawing number PH154-PL-05 00 or other revised phasing plan that has been submitted to and approved in writing by the Local Planning Authority. No phase of the development shall commence until all relevant pre-commencement conditions are approved in respect of that phase.

Reason: To ensure that full details of conditions pursuant to the relevant phase of the development are submitted and to accord with the submitted details.

5. *Condition discharge plan* - The development hereby permitted shall not commence until a condition discharge plan which indicates separate zones of the site to be subject to prior to commencement condition submissions has been submitted to and approved in writing by the Local Planning Authority. Thereafter the discharge of conditions shall proceed in accordance with the agreed condition discharge plan.

Reason: To ensure that there is an appropriate phased sequence of development on the site.

6. *Materials* - No phase of development (as identified in accordance with condition 4 above) shall be commenced until samples of all materials to be used in the external construction of the buildings and to be used to surface car parking areas and associated circulation space within that phase 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 harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. *Hard and Soft Landscaping* – No building operations shall take place above ground in any phase of development (as identified in accordance with condition 4 above) shall be commenced until a detailed scheme for the hard and soft landscaping of that phase of the site based upon the details on drawing PR034-0001 Rev J, has been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application on the details of proposed landscaping to enable its acceptability to be judged. Submission of details prior to the commencement of each phase will ensure that the visual amenities of the development are appropriately enhanced in accordance with LDF Development Control Policies Development Plan Document Policy DC61 and the development accords with Section 197 of the Town and Country Planning Act 1990.

8. *Gas Pipeline* – None of the units in phases 1a and 1b of the development as shown on the construction phasing plan drawing number PH154-PL-05 00 shall be occupied until the National Grid gas pipeline that runs across the northern part of the site has been relocated in accordance with details that have been submitted to and agreed in writing by the local planning authority prior to the commencement of any works. The scheme shall include details of the timing of the works in relation to the phasing of construction and demolition works within phases 1a and 1b and details of the construction methodology, including the measures to be employed to mitigate any adverse impacts on nearby occupiers during relocation.

Reason: Insufficient information has been supplied with the application to judge the impact on adjoining occupiers, including residents that would arise during the pipeline relocation works. The agreement of details is considered necessary to protect the amenities of these occupiers prior to commencement in accordance with LDF Development Control Policies Development Plan Document Policy DC61.

9. *De-culverting works* - The opening of Pooles Sewer shall be carried out in accordance with the details and bank profiles contained with the report entitled 'Hydraulic Modelling of Pooles Sewer' Ref S960-14 & Project S960 dated May 2016 including any revisions to these details that have been submitted to and agreed in writing with the local planning authority, in accordance with a timescale for the works, including a management programme for the newly created habitat that has been agreed in writing by the Local Planning authority prior to the commencement of the development.

Reason: To ensure that the works to the Pooles Sewer are carried out in accordance with the appropriate standards, measures, requirements and methods of construction that have been approved by the Environment Agency to provide flood protection for the development site and to create additional habitat.

10. *Car parking* - No dwelling within any phase of the development (as identified in accordance with condition 4 above) shall be occupied until car parking for that dwelling has been provided in accordance with a programme for the phased implementation of the car parking strategy shown on drawing no. PH154-PL-08 Rev E (or any such amendment to the layout) that has been submitted to and agreed in writing with the local planning authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

11. *Electric vehicle charging points* - No individual phase of development (as identified in accordance with condition 4) shall be occupied until provision has been made for 20% of the parking spaces within the development or relevant phase thereof to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

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

12. *Energy efficiency* - Prior to the commencement of development, an energy statement shall be submitted to demonstrate the energy efficiency design measures and renewable energy technology to be incorporated into the development. The statement shall include details of a renewable energy/low carbon generation system for the proposed development, including consideration of the use of photovoltaics, which will displace at least 35% carbon reduction against Part L 2013 of the Building Regulations. The statement should also demonstrate how the proposals could interact with district heating plans for the area and if this has been technically discounted demonstrate how this has been investigated. The renewable energy generation system shall be installed in strict accordance with the agreed details and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any relevant phase of the development. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. Any change to the approved energy strategy shall require the written consent of the Local Planning Authority.

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

13. *Air quality* - The development hereby permitted shall not be occupied until all measures identified in the Air Quality Assessment Report reference Project No 441952 date June 2015 have been shown to be implemented and notification provided to the Local Planning Authority in writing that this has been done.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared Air Quality Management Area and so that the development accords with the Development Control Policies Development Plan Document Policies CP15 and DC52 and London Plan Policy 7.14..

14. *Land Contamination* - The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

a) A Phase II (Site Investigation) Report. 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 (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report comprises 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 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

15. *Land contamination (2)* -a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those

engaged in construction and occupation of the development from potential contamination.

16. *Land contamination 3* - Before any part of the development is occupied, site derived material and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007, Specification of Topsoil.

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with the LDF Core Strategy and Development Control Policies DPD Policy DC53.

17. *Refuse and recycling* - Prior to the first occupation of any phase of the development hereby permitted (as identified in accordance with condition 4 above) provision shall be made for the storage of refuse and recycling awaiting collection within that phase according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority and be retained thereafter for the lifetime of the development.

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.

18. *Cycle storage* - Prior to the first occupation of any phase of the development hereby permitted (as identified in accordance with condition 4 above) provision shall be made for cycle storage of a type and in a location within that phase that shall previously submitted to and agreed in writing by the Local Planning Authority shall be retained thereafter for the lifetime of the development.

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

19. *External lighting* - No dwelling within any phase of the development (as identified in accordance with condition 4 above) shall be occupied until a scheme for the lighting of external areas within that phase, including any access roads, footpaths and cycleways, has been implemented in accordance with details that have 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 lighting once installed shall be retained thereafter for the lifetime of the development.

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.

20. *No additional flank windows* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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. *Removal of permitted development rights* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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, D 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.

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

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

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

23. *Landscape management plan* - No part of the development hereby permitted shall be occupied until a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscaped areas, other than private gardens, including the pedestrian and cycle pathways, area adjacent to the de-culverted Pooles Sewer and the local area of play, and a timetable for its implementation has been submitted to and approved in writing by the local planning authority. The landscape management plan as approved shall be implemented to the approved timescale and adhered to thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how new landscaped areas and open spaces are to be managed and maintained in the long terms. Submission of a management plan will ensure that the measures to be employed are robust.

24. *Non-road mobile plant and machinery* – The development hereby permitted shall not commence until the developer/contractor has signed up to the NRRM register. Following sign-up the following steps shall be undertaken:
- a) The development site must be entered onto the register alongside all the NRMM equipment details.
 - b) The register must be kept up-to-date for the duration of the construction of development.
 - c) It is to be ensured that all NRMM complies with the requirements of the directive.
 - d) An inventory of all NRMM to be kept on-site stating the emission limits for all equipment.

Reason: The development is a major development in Greater London, but outside the Non-Road Mobile Machinery (NRMM) Central Activity Zone, NRMM used on site must meet Stage IIIA of EU Directive 97/68/EC as a minimum. Also to ensure that the development accords with the Development Control Policies Development Plan Document Policies CP15 and DC52 and London Plan Policy 7.14.

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

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating

safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

26. *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.

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

The submitted scheme will provide the following details:

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

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

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

28. *Construction and demolition management*- The development hereby permitted shall not be commenced, including any demolition, until a scheme for a construction and demolition environmental management plan to control the adverse impact of the development, including the demolition of site buildings and ground clearance works, on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority. The construction environmental management plan shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;
- c) storage of plant and materials, including stockpiles of demolition materials awaiting disposal or re-use;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) the method of piling to be used;
- f) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary;
- g) Details of access points to the site and routes within the site for construction vehicles;
- h) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
- i) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the local planning authority;
- j) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- k) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- l) details of disposal and recycling of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development or the relevant phase thereof shall be carried out in accordance with the approved Plan.

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

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

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

30. *Wheelchair accessibility* - At least 40 of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair User Dwellings. The remainder of the dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

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

31. *Details of emergency access* - No development shall commence in Phase 3 of the development as shown on drawing PH154-PL-05 00 until details of the proposed emergency access from Lamson Road have been submitted to and agreed in writing with the local planning authority. The approved details shall be implemented prior to the first occupation of any dwelling within Phase 3.

Reason: Insufficient information has been supplied with the application of the proposed access details and how they would be linked with pedestrian and cycle links to and from Lamson Road. Submission of details prior to commencement of Phase 3 development will ensure that the works can be implemented as part of that phase in accordance with LDF Development Control Policies Development Plan Document Policies DC34, DC35 and DC61.

32. *Details of cycleways and footpaths* – The development hereby permitted shall not be commenced until details of proposed cycleway and footpath linkages as shown on drawing PH154-PL-02 Rev G have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the proposed crossing points and traffic calming measures for internal roads, the materials to be used and the method of construction, and a timetable for implementation relative to the agreed phases specified in condition 4 above.

Reason: Insufficient information has been supplied with the application of the proposed footpath and cycle linkages and when they would be constructed. Submission of details prior to commencement will ensure that the works can be implemented to an agreed specification, within an agreed timescale and with

suitable materials in accordance with LDF Development Control Policies Development Plan Document Policies DC34, DC35 and DC61.

33. *Visibility splays* - 2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay. No residential unit shall be occupied until the visibility splays have been provided.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

34. *Highway agreements* - No phase of development (as identified in accordance with condition 4) shall commence until the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway has been entered into.

Reason: In the interests of ensuring good design and public safety and to ensure that the development accords with Development Control Policies Development Plan Document Policy CP10, CP17 and DC61.

35. *Fire Hydrants* - Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme detailing the location of fire hydrants in that phase shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any of the buildings within the relevant phase, such hydrants as required by the LFEPA for that phase of the development shall be provided in accordance with the LFEPA's requirements prior to the occupation of the relevant unit/s and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate the location of fire hydrants. Submission of a scheme will ensure that adequate provision is made for fire protection on the site.

36. *Archaeology* - No demolition or other development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

i) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

ii) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document and guidance in the NPPF.

37. *Foundation design and method statement* - No development shall take place until details of the foundation pile layout, design and construction method within the area of the identified archaeological potential (figure 13 in QUEST Geo-archaeological Deposit Model Report dated 3rd August 2016) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to the design of the proposed foundations in order to ensure that such assets are adequately preserved or protected during construction. The submission of details prior to commencement is considered necessary to ensure this in accordance with Policy DC70 of the Development Control Policies Development Plan Document and guidance in the NPPF.

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

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

39. *Ecological survey prior to de-culverting works* - Prior to the commencement of any works for the de-culverting of Pooles Sewer development, including any works of demolition or the removal of vegetation or trees within 8 metres either side of the sewer, an updated habitat/ecological survey for that area shall be carried out in accordance with a scheme, and at a time of year, to be agreed in writing by the Local Planning Authority in consultation with Natural England. The de-culverting works shall be undertaken in accordance with the recommendations of the survey.

Reason: Insufficient information has been supplied with the application to judge the final impact of the development upon protected species which are or may be present on the site. An updated survey of the habitat is required due to the nature of the works which present a high risk of severe impacts on the water vole population, in accordance with Policies CP16, DC57 and DC58 of the Core Strategy and Development Control Policies Development Plan Document and the guidance in the NPPF.

40. *Habitat creation works* – The proposals for habitat enhancement shall be undertaken in accordance with the details set out in the habitat mitigation and management plan by Southern Ecological solutions prior to the first occupation of the development or such other timescale that has been submitted to and

approved in writing by the Local Planning Authority prior to the implementation of the scheme.

Reason: To ensure that there is adequate protection and mitigation for protected and other species that are likely to be present on the site. The implementation of the proposed measures is necessary in accordance with the guidance in the NPPF and the Core Strategy and Development Control Policies Development Plan Document Policies CP16, DC57 and DC58.

41. *Car Parking Management Strategy* – No part of any phase of the development hereby permitted as specified in condition 4 above shall be occupied until details to show the car parking management strategy associated within that phase within the development has been submitted to the Local Planning Authority for approval in writing. The details shall include the details of measures to be used to manage the car parking areas and the allocation of spaces. The car parking management strategy shall be provided in accordance with the approved details for each phase prior to the first occupation of any dwelling in that particular phase. Such facilities shall be permanently retained thereafter for use by residents for the lifetime of the development.

Reason: In the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

42. *Access details* - No part of any phase of the development hereby permitted as specified in condition 4 above shall be occupied until details to show the access layout at the junction with the A1306 and the highway detailing throughout the development has been submitted to the Local Planning Authority for approval in writing. The details shall be implemented in accordance with the approved details including a timetable for their implementation.

Reason: Insufficient information has been supplied with the application to judge the acceptability of the access and other highway details. The submission and agreement of highway details prior to occupation will ensure highway safety and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC32.

Informatives

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with representatives from Persimmon Homes and their agent Icení at a series of meetings on 20th October 2015; 2nd December 2015; 19th January 2016 and 16th May 2016 and in subsequent telephone calls and e-mails with Jayme Radford (Icení) and David Moseley (Persimmon) The revisions involved design and layout changes, including materials, orientation, road layout, orientation of cycle/pedestrian footway and linkages to and from the site and designing out

crime matters. The amendments were subsequently submitted on 24th March 2016, 4th May 2016 and 16th June 2016.

2. Mayoral CIL - The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £ (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. Planning obligation - The planning obligations required 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.
4. Temporary use of the highway - If any construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
5. 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.
6. The grant of planning permission 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.
7. 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.

8. Working in the vicinity of gas pipelines –The development should be carried out in accordance with the guidance provided by National Grid for development in the vicinity of high pressure gas pipelines. A copy of this guidance is appended to the permission.
9. Working in proximity to railway – The development should be carried out in accordance with the guidance provide by Network Rail in respect of development in proximity to railway lines. A copy of this guidance is appended to this permission.
10. Essex and Suffolk Water require that all new water mains are laid in the highway and that a metered connection is made onto their network for each new dwelling.
11. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
12. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
13. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licence required.
14. In preparing submissions to comply with condition 28 it is recommended that reference is made to the GLA's Supplementary Planning Guidance on the Control of Dust and Emissions from Construction and Demolition.
15. In relation to condition 36 above, the written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

25 August 2016

Subject Heading:

P0110.16: Morland House, 12 Eastern Road, Romford

Construction of roof extension to create two additional floors comprising 8no. new residential flats. (Application received 27 January 2016)

Ward:

Romford Town

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

**Stefan Kukula
Principal Development Management Officer
stefan.kukula@havering.gov.uk
01708 43 2655**

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 construction of a roof extension to create two additional floors comprising 8no. new residential flats.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 315 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £6,300 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £48,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

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

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

4. Parking Provision

Before any part of the dwelling hereby permitted is first occupied the car parking provision as indicated in drawing 'PD01 Rev B' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

5. 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.

6. 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.

7. Refuse and Recycling

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

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

8. Cycle Storage

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

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

9. Accessible and Adaptable Dwellings

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.

10. New Plant and Machinery

No building shall be occupied or use commenced until a scheme for the new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary

with the nearest noise sensitive property shall not exceed LA90 -10dB. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

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

11. Noise Insulation

The extension shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

12. Railway Noise Assessment

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

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

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

13. Water Efficiency

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

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

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the applicant, Shahzad Mahmood, by telephone, email and site meeting. The revisions involved alterations to the design and a reduction in the scale and bulk of the extension. The amendments were subsequently submitted on 27 July 2016.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £6,300 (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. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. 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.
5. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the property at Morland House, 12 Eastern Road, Romford. This is a five-storey former office block, which is currently being converted to residential flats.
- 1.2 The building fronts onto Eastern Road with narrow service roads and parking areas to the sides. The railway line runs directly to the rear of the building. The property is located within Romford town centre, situated alongside other tall office blocks in this section Eastern Avenue.
- 1.3 The land is designated in the LDF as being within the Romford Office Quarter and as such is surrounded by a mixture of uses including commercial and residential.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the construction of a roof extension to create two additional floors comprising 8no. new residential flats. The accommodation would be split with four flats on each floor and would comprise 4no. one-bedroom units, 2no. two-bedroom units and 2no. three-bedroom units.
- 2.2 The extension would involve raising the height of the main section of the building by approximately 6.45 metres. The lower floor of the extension would effectively replicate the design of the existing building, matching the positioning and proportions of the fenestration and brick courses. The upper floor would comprise a mansard style roof design, set in 0.7 metres from the main elevations of the building. The extension would absorb the existing lift shaft gear and plant room which projects above the height of the main building.
- 2.3 Each of the flats would be served by partially enclosed roof terrace areas positioned on the front and rear elevations of the extension, creating a central feature.
- 2.4 The existing internal stairwells and lift shafts would be adapted to enable internal access to the new flats.

2.5 There are 3no. available off-street car parking spaces to the side of the building.

2.6 Storage space for refuse materials as well as secure bicycle storage would be provided in dedicated stores located in the side car park areas.

3. Relevant History

3.1 J0027.15 - Prior Approval for the conversion of Ground and First Floor from Office to Residential - Approved, 21 October 2015

J0001.15 - Prior approval application for the change of use from office to residential - Approved, 10 April 2015

P0782.13 - Change of Use from (B1) office to a mixed use within (B1) Office and (D1) Education and Training - Approved, 19 December 2013

P0944.10 - Change of Use of 3rd floor from B1 (offices) to D1 (educational institution) for training programmes on management - Approved, 29 October 2010

4. Consultations/Representations

4.1 Notification letters were sent to 55 properties and no representations have been received.

4.2 The following consultation responses have been received:

- Thames Water - no objection, recommended informatives relating to waste water, surface water drainage and water.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Network Rail - no objection.
- Environmental Health - no objection, recommended a standard conditions relating to new plant and machinery, noise insulation and an assessment of railway noise.
- Local Highway Authority - no objection but have requested that a S106 be provided to prevent future occupiers obtaining resident's parking permits.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC66 (Tall Buildings and Structures) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Romford Town Centre Development Framework, the Residential Design SPD, Designing Safer Places SPD, Romford Area Action Plan (ROM13) Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the impact on the character and appearance of the surrounding area, the implications for the residential amenity of future occupants and occupants of neighbouring properties and the suitability of the proposed parking and access/servicing arrangements.

Principle of Development

- 6.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.3 The building is located within the Romford Office Quarter and policy ROM13 seeks to ensure that there is no net loss of office space in any redevelopment of existing sites. However, it should be noted that two separate prior approval applications were previously granted consent at the site in 2015, which allowed the conversion of the five lower floors of the building from office space to 24 no. self-contained residential flats.

- 6.4 The conversion works are currently well underway. Although the residential units have not yet been finished and occupied, it is nevertheless considered that the established use of the building has been changed to residential through the prior approval process. As such the current proposal would not result in the loss of existing office space.
- 6.5 In terms of increasing the height of the building, Policy DC66 states that tall buildings of six-storeys or greater will normally only be granted planning permission in Romford Town Centre. All tall buildings must be of a high quality design and ensure that the proposed density is suited to the site and to the wider context in terms of proportion, composition, relationship to other buildings and streets. Matters in terms of design, density and the implications for the character and appearance of the area are discussed in the Density/ Layout and Design/Impact on Streetscene sections of the report.
- 6.6 The Romford Town Centre Development Framework seeks to utilise opportunities to increase the number of people living in the town centre. The Framework has been developed in line with GLA guidance on tall buildings, and takes into account Romford's particular townscape and heritage qualities. As such the Framework sets out a flexible approach for increased building heights and identifies Eastern Road in particular as a suitable location for tall buildings with heights of up to 8 to 10 storeys. It goes on to advise that the objective of creating a resilient, mixed use town centre incorporating a sustainable residential community will require a step change in terms of development heights as well as leading to a greater number of 'tall buildings'.
- 6.7 On this basis the proposal is considered to be policy compliant in landuse terms, and in accordance with the general aspirations for Romford town centre in respect of increasing the height of the existing building. The proposed roof extension to provide 8no. additional residential units is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.8 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.9 The proposed extension would provide 8no. residential units in addition to the 24no. units in the five existing floors of the building that were granted through the prior approval process in 2015; providing a total of 32no. flats. As such the development would provide a total density equivalent to approximately 376 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a dwelling density of between 240 to 435 dwellings per hectare would be appropriate in this location.

- 6.10 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.
- 6.11 The proposed extension would provide 4no. one-bedroom flats, 2no. two-bedroom flats and 2no. three-bedroom flats with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.12 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 6.13 Each of the flats would be served by partially enclosed roof terrace areas positioned on the front and rear elevations of the extension depending on which flat they are associated with. The terrace areas would vary in size ranging from 5.6 square metres to 3.6 square metres.
- 6.14 Given the town centre location of the building, and the amenity areas associated with equivalent town centre accommodation, it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space which in this instance would be adequate for the requirements of the future occupants.

Design/Impact on Streetscene

- 6.15 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.16 This section of Eastern Road is characterised by large detached office blocks which lead out along both sides of the road from South Street towards the junction with Mercury Gardens. Most of the larger buildings date from the mid to late twentieth century, with each building comprising an individual appearance. However some of the office blocks include consistencies in terms of scale, height and bulk as well as mansard rooftop features. Generally there is no prevailing character to the design.

- 6.17 Through the course of the application the design of the proposed scheme has been amended so that the lower section of the extension duplicates the design of the existing building, matching the positioning and proportions of the fenestration and brick courses. The upper floor would comprise a mansard style roof design, set in 0.7 metres from the main elevations of the building, in order to reduce the overall scale and bulk of the extension and provide a more traditional finish to the rooftop of the building.
- 6.18 As such the appearance and style of the proposed extension is considered on balance to be of a sympathetic design which broadly adheres to the architectural character of the surrounding area.
- 6.19 It is acknowledged that given that the nature of the proposal the roof extension would increase the prominence of Morland House within the Eastern Road streetscene. However, whilst the extension would raise the height of the main section of the building by approximately 6.45 metres, it is recognised that Morland House is set within the visual context of tall and bulky neighbouring development. This mainly comprises a variety of large detached office blocks, and the extension would to a greater extent be absorbed into this backdrop and built up urban environment. Eastern Road is also a relatively narrow town centre street and given the existing scale and height of the buildings along this section of the road, the true scale of the buildings is not easily observed from ground level. In this instance Staff have taken a balanced view that the additional height to Morland House is unlikely to appear overly dominant or overbearing in this setting.
- 6.20 Therefore, Members are invited to consider, as a matter of judgement, whether the extension would appear as an unduly harmful addition within the streetscene.
- 6.21 In this instance Staff are of the opinion that on balance the scale of the proposed development would be acceptable, given the subservient design and appearance of the extension in comparison to the existing building, the height and massing of the surrounding buildings and the town centre location of the site.

Impact on Amenity

- 6.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.23 Morland House is immediately flanked by office blocks, with the nearest residential accommodation set to be located some 40 metres to the east at

Scimitar House, where a conversion from offices to flats is nearing completion. As such it is not considered that the proposed development would present any undue issues in relation to residential amenity in accordance with Policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

- 6.24 In terms of the amenity of future occupants; given the existing commercial uses within the area, the town centre location and the associated night time economy at nearby South Street, any residents living in this part of Eastern Road can reasonably expect to experience a greater element of noise and disturbance from passers-by and general town centre activity than those living in a purely residential area.
- 6.25 Environmental Health have recommended noise insulation and measures to limit noise and disturbance to future residents from the adjacent railway line.

Environmental Issues

- 6.26 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.27 The extension relates to the upper floors of an existing building and presents no issues in relation to flood risk.
- 6.28 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 6.29 The site has a Public Transport Accessibility Level (PTAL) rating of 6b (Best); meaning that the premises has very good access to a variety of public transport facilities. South Street is a main bus route with a bus terminus and Romford Station is also located very close by. Government guidance encourages a relaxation in parking and other standards in town centre locations, particularly where there is good access to public transport and the proposal accords with this advice.
- 6.30 Given the central location and the good public transport links there is no requirement for the proposed flats to provide dedicated off street residents' car parking provision.
- 6.31 The scheme can demonstrate the availability of 3no. off-street car parking spaces in the existing car parking area to the western side of the building. It is intended that these spaces would be unallocated and their use shared by the occupants of the 8no. new flats. Staff have given consideration to imposing a parking management condition, however, as the proposal relates to just 3no. parking spaces this is not considered to be reasonable in this instance. The larger parking area adjacent to the eastern side of the building

comprises 11no. spaces and is intended to be allocated to the occupants of the previously approved flats in the existing five floors of the building.

- 6.32 The Local Highway Authority have raised no objection subject to the applicant entering into a legal agreement under Section 16 of the Greater London Council (General Powers) Act 1974 to prevent future occupiers from applying for parking permits. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed change of use would result in any parking or highway safety issues. The legal agreement would be consistent with the arrangements completed for the recently granted prior approval applications for residential conversion in the existing floors of Morland House.
- 6.33 The submitted drawing indicates the anticipated positioning of a bin store and secure cycle store but no further details of this have been provided at this stage - although it is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.
- 6.34 The refuse store would be located in the existing car park to the side of the building. This area was previously used by the commercial occupiers of Morland House for the storage of refuse. Given the proximity to Eastern Road the area would be easily accessible for domestic refuse collection vehicles.

Mayoral Community Infrastructure Levy

- 6.35 The proposed development will create 8 no new residential units with 315 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £6,300 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.36 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 6.37 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development

- proposals should address strategic as well as local priorities in planning obligations.
- 6.38 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.
- 6.39 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.40 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.
- 6.41 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.42 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.43 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 £48,000 for educational purposes would be appropriate.

7. Conclusion

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

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 27 January 2016 and amended proposals received on 27 July 2016.

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REGULATORY SERVICES COMMITTEE

REPORT

25 August 2016

Subject Heading:

P0909.16 – Former Harold Wood Hospital, Gubbins Lane, Harold Wood (Date received 14/06/2016)

Proposal

Reserved matters application for the approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 2B of the former Harold Wood Hospital, for the development of 136 residential dwellings, plus associated infrastructure and car parking.

Ward

Harold Wood

Lead Officer

Simon Thelwell
Projects and Regulation Manager

Report Author and contact details:

Martin Knowles (Planning Team Leader)
01708 432802

Policy context

Local Development Framework
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

Since outline planning permission for the redevelopment of the former Harold Wood Hospital was granted under ref P0702.08 Members have considered full applications for the construction of the spine road and Phases 1A and 1B and reserved matters applications for Phase 3A, 3B, 5, 4A, 4B and 2A of the residential development. This reserved matters application is for the final phase of development, Phase 2B which proposes 136 residential dwellings, plus associated infrastructure and car parking.

Staff consider that the development would be sufficiently in line with the parameters agreed for the redevelopment by the outline planning permission which is required by condition. The development is further considered to be acceptable in all other respects.

It is concluded that the reserved matters application should be approved.

RECOMMENDATIONS

That the Committee resolve that reserved matters permission be granted subject to the following conditions:

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

2. Prior to the first occupation of the development a car parking management scheme for Phase 2B shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include details of car parking allocation and the measures to be used to manage the car parking areas. The scheme shall be implemented in accordance with the approved details prior to the first residential occupation of this phase of the development and such measures shall be maintained and retained permanently thereafter.

Reason:-

Insufficient information has been supplied with the application to judge arrangements for the management of parking. Submission of a scheme prior to occupation will ensure that there is no confusion about the allocation and management of parking facilities in the interests of highway safety.

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 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.
3. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1.0 Site Description

- 1.1 The former Harold Wood Hospital is located on the western side of Gubbins Lane approximately 500m (¼ mile) south of the junction with Colchester Road (A12), and opposite Station Road and Harold Wood mainline railway station.
- 1.2 The former hospital site is of irregular shape and covers an overall area of approximately 14.58 hectares, including the retained uses. This application relates to an area of 1.23 hectares at the eastern end of the site adjacent to

Gubbins Lane opposite the bus turn round and Harold Wood Station. The site is bounded to the north by the Spine Road (St. Clements Avenue), to the east by Gubbins Lane, to the south by the railway and to the west by The Grange and Blocks G and H of phase 2A (currently under construction).

1.3 There are a number of mature trees located within an area of open space to the east of The Grange which are to be retained within what will become a new public open space for the site.

1.4 Vehicular access to the site will be from a spur road off of Road 15, which is itself a spur road off the southern side of the main Spine road (St. Clements Way).

2.0 **Description of Proposal:**

2.1 The proposal is a reserved matters application for siting, design, external appearance and landscaping pursuant to outline planning permission P0702.08 in relation to Phase 2B of the redevelopment of the former Harold Wood Hospital site. This would consist of 136 dwellings within 3 No. apartment blocks. Block C providing 46 no. 1 bedroom, 36 no. 2 bedroom and 9 no. 3 bedroom flats, Block E providing 6 no. 1 bedroom. 8 no. 2 bedroom flats and 7 no. 3 bedroom flats, and Block F providing 10 no. 1 bedroom, 10 no. 2 bedroom flats and 4 no. 3 bedroom flats.

Siting and Scale

2.2 Block C is proposed as a horseshoe shaped 4/5 storey block 69m wide at its widest point with principal elevations facing The Grange, St Clements Avenue, Gubbins Lane and the railway. Starting at 4 storeys height at either end, the fifth floor penthouse storey would be set back to create a rooftop terrace area running around the majority of the block giving a maximum height of 15.55m. A gated entrance from the spur road 15A would provide access to a central area of parking, undercroft parking and amenity space, together with the bin and cycle stores.

2.3 Block E would have an oblong footprint 42m long and 15m deep which continues on the same alignment as the north western arm of Block C on the other side of the gated entrance and is proposed as a 4 storey block with undercroft parking to a maximum height of 13.2m to parapet.

2.4 Block F is proposed as an L-shaped 3-storey block with a 47m long elevation facing north west towards road 15 and a 24.5m elevation facing north east towards the landscaped square opposite The Grange. A gated courtyard parallel to the railway boundary would incorporate parking and undercroft parking together with the bin and cycle stores and a secondary entrance to the access core.

Access and Parking

2.5 Vehicular access into the site would be from the east side of Road 15 opposite The Grange via a spur road (15a) with one entrance to the

courtyard areas of Blocks C and E combined, and Block F accessed from the end of a NE to SW arm of Road 15a.

- 2.6 A total of 114 parking spaces are proposed within the phase (plus 7 identified in Phase 2A) provided in the form of a mixture of street side, undercroft and courtyard parking giving an overall parking ratio of 0.89 spaces per unit for the phase. A minimum of one cycle storage space per unit would be provided by way of secure communal ground floor areas accessed from the internal courtyards within the Block C/E and F.
- 2.7 Pedestrian access to all ground floor units is from the public/roadside of the development whilst access to upper floors would be via cores that can be accessed from either the public or private courtyard side.

Design and External Appearance

- 3.8 Block C would provide 91 units comprising of 46 no. 1 bedroom, 36 no. 2 bedroom and 9 no. 3 bedroom apartments of which 10 out of 11 of the ground floor would be wheelchair accessible. All of the ground floor units would be accessed from the street side of the development with other floors taking access from 3 staircase/lift cores. All ground floor units would be provided with their own semi-private terrace and defensive planting, with each apartment on other floors having its own balcony or rooftop terrace.
- 3.9 The design approach for Block C responds to the prominent “gateway” location on the corner of Gubbins Lane and St. Clements Avenue opposite the junction with Station Road and Harold Wood Station. The block is designed with facades to address all key areas surrounding the block, including The Grange. The corners are all expressed with double aspect balconies framed by copper effect cladding which extend above the fourth floor parapet. The north façade would be the primary frontage with the central main entrance providing a key focal point. The facades are articulated by a consistent vertical rhythm of windows and stacked columns of balconies with a grey brick ground floor acting as a plinth to mirror that approved for Block B on the opposite side of St. Clements Avenue. Above ground floor the key material is proposed as red brick, providing a visual link to The Grange, with white render used to accentuate each corner within the corner balconies and on the elevation facing The Grange to give some relief and contrast to the expanse of red brick. The recessed penthouse floor would be clad in grey with an oversailing roof.
- 3.10 Block E would provide 21 units comprising of 6 no. 1 bedroom. 8 no. 2 bedroom flats and 7 no. 3 bedroom apartments incorporating 3 no wheelchair accessible units on the ground floor. All ground floor units would be provided with their own semi-private terrace plus defensive planting, with each apartment on other floors having its own balcony. The design follows the same design principles as Block C with a grey brick ground floor, alternating use of white render and red brick, columns of balconies with a column of copper effect cladding and window in-between the white render and brickwork on the western façade to define the entrance core.

- 3.11 Block F would provide 24 units comprising 10 no. 1 bedroom, 10 no. 2 bedroom flats and 4 no. 3 bedroom flats with all 6 ground floor flats being wheelchair accessible or easily adapted. All ground floor units would be provided with their own semi-private terrace plus defensive planting, with each apartment on other floors having its own balcony. The Block F design at three storeys is intended to relate in height terms to The Grange. The design is similar to Block E in the proposed use of red brick and white render, but with a prominent copper cladding framed balcony to the upper floors creating a focal point on the northern corner closest to The Grange.

Landscaping and Amenity Space

- 2.12 The application includes detailed proposals for the hard and soft landscaping, including the retention of a number of significant trees to the south east of The Grange, and the creation of a new entrance gateway public space incorporating two rectangular ponds and semi-mature trees, linear planting and hard landscaping. Various biodiversity measures including bird and bat boxes, wildflower and native species planting and log piles are shown to be incorporated into the development. Details of all surface treatments are also included.
- 2.13 All blocks would be provided with semi-private terraces at ground floor or balconies on upper floors.

3. Relevant History

P0704.01 - Residential development (Outline) - Resolved by Committee to be approved subject to the prior completion of a Section 106 Agreement. (10.56ha site similar to the current application site)

P0141.06 - Residential development of up to 480 dwellings (outline) - Refused (appeal withdrawn)

P1232.06 - Residential development of up to 423 dwellings (outline) - Approved

P0702.08 - Outline application for the redevelopment of the site to provide 810 dwellings including submission of full details in relation to the retention, with alterations, of the Grange listed building within the site to provide 11 flats and for a two storey building adjacent to the Grange to provide 4 flats - Approved.

P1703.10 - Construction of Spine Road in relation to site redevelopment for residential use at the former Harold Wood Hospital - Approved

P0230.11 - Construction of Phase B of a Spine Road in relation to site redevelopment for residential use at the former Harold Wood Hospital - Approved

P0004.11 - Phase 1A of the development of the former Harold Wood Hospital, to include demolition of existing buildings and the construction of

20 residential units and associated infrastructure and landscaping - Approved

D0122.11 - Demolition of the former Harold Wood Hospital, Gubbins Lane.- Prior Approval Granted

P1002.11 - Phase 1B of the development of the former Harold Wood Hospital, to include demolition of existing buildings and the construction of 68 residential units and associated infrastructure and landscaping - Approved

P0243.12 - The approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 3B of the former Harold Wood Hospital, for the development of 74 residential apartments, plus associated infrastructure and car parking - Approved

P0412.12 - The approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 5 of the former Harold Wood Hospital, for the development of 105 dwellings, plus associated infrastructure and car parking - Approved

P0346.13 - The approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 3A of the former Harold Wood Hospital, for the development of 144 residential dwellings, plus associated infrastructure and car parking - Approved

P1295.13 - The approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 4A of the former Harold Wood Hospital, for the development of 55 residential dwellings, plus associated infrastructure, open space and car parking - Approved

P1594.14 - Reserved matters application for the approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 4B of the former Harold Wood Hospital, for the development of 84 residential dwellings, plus associated infrastructure, open space and car parking - Approved

P1131.15 - Reserved matters application for the approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 2A of the former Harold Wood Hospital, for the development of 109 residential dwellings, plus associated infrastructure and car parking - Approved

4. **Consultations and Representations:**

4.1 Consultees and 218 neighbouring properties have been notified of the application. The application has been advertised on site and in the local press.

4.2 No letters of representation have been received.

Consultee Responses

Borough Designing Out Crime Advisor - Advises that there have been pre-application discussions and that the application shows that crime prevention measures have been considered in the design of the proposed development. No objections are raised subject to the development being carried out in accordance with the relevant conditions of the original outline consent.

Environment Agency - No objections subject to there being no impact upon the developer's ability to meet the requirements of the surface water drainage condition on the Outline consent in accordance with the approved Flood Risk Assessment. (FRA)

London Fire and Emergency Planning Authority - Satisfied with the proposals subject to access for Fire Brigade vehicles being compliant with the relevant Building Regulations.

London Fire Brigade Water Team - No further action required

Natural England - No comments. The Council's obligation to assess and consider the possible impacts arising from the development and to seek biodiversity enhancement is reiterated.

Thames Water - no response.

Essex and Suffolk Water - No response

Streetcare - No objections

LBH Waste and Refuse - Sought clarification of width of entrance to Block B and distance from bin store.

LBH Environmental Health - No objections or comments

Network Rail - Advise of the restrictions and safeguards that the developers need to adhere to in relation to the adjacent Network Rail land.

5 **Relevant Policies**

5.1 The development plan for the area consists of the Havering Local Development Framework (Core Strategy, Development Control Policies and Site Specific Allocations) and the London Plan 2011

- 5.2 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP7 (Recreation and Leisure), CP15 (Environmental Management) and CP17 (Design) of the Local Development Framework Core Strategy are considered relevant.
- 5.3 Policies DC2 (Housing mix and density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), DC7 (Lifetime Homes and Mobility Housing), DC20 (Access to Recreation and Leisure Including Open Space), DC21 (Major Developments and Open Space, Recreation and Leisure Activities), 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), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC60 (Trees), DC61 (Urban Design), DC63 (Delivering Safer Places), of the Local Development Framework Development Control Policies Development Plan Document and Policy SSA1 (Harold Wood Hospital) of the Local Development Framework Site Specific Allocations Development Plan Document are also considered to be relevant. Various Supplementary Planning Documents of the LDF are also relevant.
- 5.4 London Plan policies: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (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), 5.16 (waste self sufficiency), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes) and 7.19 (biodiversity and access to nature) are considered to apply. There is also a range of Supplementary Planning Guidance to the London Plan, including 'Providing for Children and Young People's Play and Informal Recreation' that are considered to be relevant.
- 5.5 The National Planning Policy Framework is a further material consideration.

6.0 **Planning Considerations**

- 6.0.1 The principle of the residential redevelopment of the Harold Wood Hospital site has been established by the outline planning permission P0702.08. Many of the environmental issues arising from the principle of residential development, such as land contamination, archaeology and ecology have all previously been considered by the outline application. These matters are all dealt with in detail by the planning conditions forming part of the outline permission.
- 6.0.2 This is the ninth and final application for full permission or reserved matters approval which has been submitted and if approved, would bring the total

number of units with detailed permission to 810 representing 100% of the total 810 units for which planning permission was granted.

6.0.3 The main issues arising from this application for reserved matters approval are therefore considered to be the extent to which the detailed proposals accord with the parameters and principles established by the outline permission; housing density, tenure and design, site layout including proposals for hard and soft landscaping of the site, massing and street scene implications, impact upon residential amenity, highways, parking and accessibility and sustainability.

6.1 Principle of Development

6.1.1 The outline planning application was submitted with an indicative masterplan and a number of development parameters and parameter plans as the means by which the design concepts for the redevelopment of the site would be translated into a framework for the future submission of reserved matters. The parameter plans showed the land uses, development, landscape strategy, access and movement, density and building height across the site to demonstrate how new development will work within the site and how it would relate to neighbouring development. The illustrative masterplan demonstrated one way in which this could be translated and forms the basis on which this reserved matters application has been submitted.

6.1.2 The outline permission included a condition (Condition 7) which required that the development should be carried out in accordance with the parameter plans and in general accordance with the corresponding strategies within the Design and Access Statement and other documents. The condition also states that any deviation from these can only be made if it is agreed by the Local Planning Authority that such deviation would not give rise to any adverse environmental effects which would have otherwise required mitigation. The parameters therefore act as a check to ensure that reserved matters follow principles established by the outline permission and a benchmark against which to assess subsequent reserved matters submissions.

6.2 Density, Siting and Layout

6.2.1 The overall density approved in principle at Outline stage provided for an average of 64 dwellings per hectare (dph) across the whole development site. The density was designed to vary according to the location within the site to reflect the nature of surrounding development and the proximity to public transport. These density areas were identified as Blocks. Phase 2B is located entirely within density Block E in the Density Strategy parameter plan where densities of up to 97 dph have in principle consent.

6.2.2 To calculate the overall density of Block E it is necessary to combine the units within Blocks G and H (61 no.) that have already been granted reserved matters consent by P1131.15, and those that are being created by the restoration, conversion and new build at The Grange (17 no.) with those

that are proposed under this application (136 no.). This would give a total number of units within density block E of 213 units. Density block E has an area of 2.278 Ha which would give a maximum density of 93 dph.

- 6.2.3 The density for block E is therefore within the approved density parameter. As is, the overall maximum density of the development will be 62 dph. The proposed densities are therefore considered to be acceptable and in accordance with the Outline consent.
- 6.2.4 The approved Building Height Strategy Parameter Plan identified the site of Phase 2B as incorporating elements of 3 storey (9 to 12m in height), 4 storey (12 to 15m in height) and 5 storey (15 to 18m in height) development. Blocks E and F are located entirely within their respective 4 and 3 storey height zones with maximum heights within the permitted limits. Apartment Block C reduces to 4 storey where indicated by the height parameter plan on its north western arm but encroaches beyond the four storey development zone into areas identified as public open space adjacent to Gubbins Lane and the spine road (St. Clements Avenue) on its northern and eastern primary frontages and with an element of five storey development also extending approximately 7m into the four storey zone on the south eastern arm.
- 6.2.5 The extent of the encroachments into the open space is a maximum of 9.5m at the northern corner and 6.5m at the north eastern corner of the block, resulting in a reduction in open space compared to the masterplan of some 300 sqm. This also represents a deviation from the land use strategy parameter plan approved under the Outline consent.
- 6.2.6 The judgment to be made is whether these encroachments are acceptable and whether they will give rise to any significant impacts that were not envisaged as part of the outline application which would require mitigation that was not considered as part of the previous Environmental Impact Assessment.
- 6.2.7 The reduction in the area of open space is as a result of Block C being designed so that it better relates to the road frontages, junction and surrounding buildings than the indicative five storey area depicted in the parameter plan. The landscaped setting of the junction and The Grange are not considered to have been affected to any significant or material degree by this reduction. In terms of the overall level of public open space being provided throughout the scheme (2.45 Ha) the magnitude of the change as a result of the reduction proposed (0.03 Ha) or less than 1.5% is not considered to be significant.
- 6.2.8 In terms of whether any impacts arise from the encroachments, it logically follows that if the magnitude of the change is not considered to be significant, that the any resulting environmental issues arising are similarly not considered material as they would not give rise to adverse environmental impacts requiring mitigation measure to ameliorate their effects. On that basis staff are satisfied that there is no conflict with the

condition which requires the development to be carried out in accordance with the parameter plans as set out in paragraph 6.1.2.

- 6.2.9 There is also a deviation from the Access and Movement Strategy Parameter Plans which showed the secondary road (Road 15) as a loop road with two entrance points onto the spine road. Under the current proposals the eastern arm of the loop has been deleted with the access point relegated to an emergency route to the north of block C. On the same basis as that set out in para 6.2.8 above, staff are satisfied that there is no conflict with the condition which requires the development to be carried out in accordance with the parameter plans as set out in paragraph 6.1.2.
- 6.2.10 In terms of layout the scheme has been derived from a detailed testing of the illustrative layout used for the outline application. The scheme has been developed playing close attention to the site topography, movement and access desire lines, relationship to other parts of the development and neighbouring development, maximisation of landscaping and the desire to minimise the impact of the parking and maximise the overlooking of any parking and open space.
- 6.2.11 The proposed apartment blocks will help create a sense of enclosure, strong active street frontages, visual landmarks and focal points as well as providing additional natural surveillance for the public open space alongside the spine road in front of The Grange. Block C will provide an architectural landmark addressing all key roads and features that surround it. The layout closely follows that shown on the original masterplan and is considered to be acceptable.

6.3 Design, Residential Quality and Open Space

- 6.3.1 The Residential Design Supplementary Planning Document seeks to promote best practice in residential design and layout and to ensure that new residential developments are of the highest quality. The detailed design approach and layout justification is set out within the Design and Access Statement and corresponds with the principles of the outline Design and Access Statement as they apply to this part of the site.
- 6.3.2 The design of Blocks C, E and F maximise the number of ground floor entrances which in combination with the housing frontages onto the spine road and side roads will provide a functional and lively streetscene.
- 6.3.3 The design of this final phase incorporates design features that are recurrent themes within earlier phases, including roof edge detailing, grouping of balconies, roof terraces, cladding and contrasting material changes.
- 6.3.4 The final phase of the redevelopment on the frontage of the site has an important role to play in place making and acting as a gateway into the development. Good architecture, materials and attention to detail was always going to be required to incorporate a five storey element, as approved at Outline stage, into the heart of Harold Wood, In this respect,

Staff are satisfied that the development has created its own distinctive character and that the continuation of the theme established by the earlier approved phases will provide a suitably distinctive gateway building to create a landmark focal point, completing a development where people want to live.

- 6.3.5 The scheme will provide accommodation built to Lifetime Homes requirements throughout and also incorporates nineteen units which are designed to be wheelchair accessible from the outset. The development is therefore in accordance with Policy DC7.
- 6.3.6 The design of all Blocks will offer acceptable levels of daylighting and sunlight for future occupants. Whilst there are no communal amenity areas for the blocks, staff are satisfied that this is adequately offset by the availability of balconies of a depth and area which comply with the guidance contained in the Residential Design SPD together with semi-private terraces at ground floor. In addition the close proximity of the central open space and other secondary open spaces throughout the development together with the landscaped setting provided by the tree lined spine road, the open space in front of The Grange and other ecological features of the development will enhance amenity for future residents.
- 6.3.7 This phase of the development incorporates significant areas of public open space in front of The Grange and on the southern corner of the junction of Gubbins Lane with St. Clements Avenue. These areas all accord with the parameters plans which formed part of the outline consent and will provide an attractive setting for the Blocks.

6.4 Landscape Strategy and Biodiversity Enhancement

- 6.4.1 The Landscape Strategy and specification submitted with the application demonstrates a commitment to providing a high quality residential environment, both in terms of the streetscape and hard landscaping and the soft landscaping proposed. The access road is to be block paved as will all parking courtyards, with conservation kerbs used for all adoptable highways. A number of significant trees are to be retained within the open spaces with the roads and development kept clear of the tree root zone which would be fenced for protection during construction to ensure their successful retention and integration into the development. Extensive planting of trees and shrubs within open spaces, within the courtyards and along the boundary with the railway and new roads is proposed which will enhance the biodiversity potential of the site and provide an attractive street scene and setting for the development
- 6.4.2 Hedging is proposed in many areas of the site with the dual function of giving definition between public, semi- public and private areas of the site, defining the edges and giving structure to the public open space as well as providing an attractive feature in the street scene.
- 6.4.3 The public area to the front of Block C adjacent to the junction will provide a bold and attractive addition to the Gubbins Lane street scene incorporating

two decorative ponds flanking the paved route from the junction. This has been a feature of the entrance open space from the indicative masterplan providing a reminder of the two ponds which flanked the original entrance to The Grange from Gubbins Lane.

- 6.4.4 As well as the planting of native trees and shrubs on the site the buildings will also incorporate integrated bird and bat boxes. This together with further ecological enhancement measures within other phases of the development adjacent to the railway SINC and the creation of “Green Links” to it would be in accordance with the parameters set for the development and in compliance with Policy DC59.

6.5 Impact on Adjoining Sites and Residential Amenity

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

- 6.5.2 The closest residential properties to the north of the site are residential flats above shops in Station Road which are over 40m away from the closest part of block C or over 50m away on the opposite side of Gubbins Lane. To the south the closest properties are over 60m away on the other side of the railway cutting. At such distances no material harm to residential amenity will arise.

- 6.5.3 Turning to the relationship to other proposed blocks and properties on the development, the closest of these is The Grange which is 15m diagonally away from the corner of Block F across the access road at its closest point. This is considered to be a conventional relationship and not one which will give rise to any unacceptable impact by way of overlooking or loss of privacy in either respect.

6.6 Transportation, Highways and Parking

- 6.6.1 The scheme incorporates new access roads which are designed to an acceptable standard with adequate space for turning and servicing and no objections are raised by Streetcare subject to all roads being a minimum of 5.5m in width.

- 6.6.2 The level of parking would allow for an overall ratio of virtually 0.89 parking spaces per unit for Phase 2B. This is not considered unreasonable as it was always envisaged that the parking provision for the part of the site closest to the station and with the highest Public Transport Accessibility Level (PTAL) might deliver less than 1 for 1 parking. The level of parking proposed within this phase is such that the overall level of parking provision, if this phase is approved, for the permitted phases would maintain a ratio just in excess of 1:1, which is the overall minimum level of parking that could

reasonably be accepted for the site as a whole. The parking requirement for the site as whole set out in Site Specific Policy SSA1 is expressed as a maximum rather than a minimum requirement i.e. a maximum of 1 – 1.5 spaces per unit. The parameters of the outline permission requires that the overall level of provision on the site should fall within this range with a maximum of 1.5 spaces per unit.

- 6.6.3 On the basis that both the overall level of parking and that for this individual phase are in accordance with Policy SSA1 and the parameters of the outline permission, no objections are raised. Nevertheless, there will be a significant onus on the Management Company to ensure that the parking on this part of the site is properly allocated and a condition is proposed requiring a car parking management strategy to be submitted. Members are also advised that S106 contributions will be forthcoming when triggered to enable a review of the existing Controlled Parking Zone (CPZ), for the making of one for the estate itself. There is furthermore, a restriction imposed by the original S106 agreement on all new dwellings preventing occupiers from applying for permits within the existing or extended CPZ.
- 6.6.4 The parking is provided in a manner which does not unduly impinge upon the appearance of the development and will enable the provision of on street planting and landscaping. All potential wheelchair adapted ground floor units would have an identified parking space located as close as is reasonably practical to the respective units.
- 6.6.5 In terms of overall impact upon the highway network this was fully evaluated at Outline stage when it was agreed that the proposed residential development would generate less traffic overall than the previous hospital use. It was acknowledged that there would be different peak hour flows, but with funding agreed through the S106 agreement mitigation measures are to be implemented to the traffic lights at the A12, together with improvements to the junction with Gubbins Lane which have already taken place and contributions towards improvements to the transport facilities at Harold Wood Station and crossing facilities on Gubbins Lane. The whole of this phase will be accessed from Gubbins Lane which served as the original access to the former hospital and no objections are raised.

6.7 **Housing**

- 6.7.1 The proposed housing within phase 2B of the redevelopment would be developed entirely as private housing as the full quota of affordable housing required by the S106 on the basis of the current financial viability of the scheme has already been approved within earlier phases of the development. The housing offers flatted apartments which in combination with the variety of flats and houses within other phases of the development will provide for the full range of housing need for the Borough in accordance with the policy requirements of Policy DC2 and the indicative mix identified in the outline scheme.

6.8 Sustainability

6.8.1 The outline permission included conditions requiring the installation of photovoltaic panels and renewable energy systems in accordance with the approved Energy Strategy. In addition to the energy efficiency measures to be employed in the buildings and in its construction, all dwellings will be provided with high efficiency condensing boilers. A total of 164m² roof mounted photovoltaic panels will be provided over all three blocks to both assist in achieving the required Code level and to provide renewable energy for communal systems. All the dwellings within Phase 2B are proposed to be private and are therefore required to achieve Code for Sustainable Homes (Code) Level 3 as standard in accordance with the original planning consent. The combination of efficiency improvements to reduce the carbon emissions of Phase 2B plus the renewable energy to be provided means that an overall carbon saving of 30% over that required by the Building Regulations 2006 will be achieved. Staff are satisfied that the combination of measures will be sufficient to satisfy the requirements of the conditions and the related policies that these stem from.

6.9 Conclusions

6.9.1 Having regard to the above it is considered that the proposal satisfies the relevant policies identified in paragraphs 5.2 to 5.4.

6.9.2 Staff consider that this reserved matters application for the ninth and final phase (Phase 2B) of the redevelopment of the former Harold Wood Hospital site will continue to display the benchmark of the quality established by the previous phases, both in terms of the residential accommodation and environment. This is in line with the illustrative master plan and the Design and Access Statement for the outline application. The scheme promises to deliver and complete a sustainable, safe and attractive development for new residents in a form that maintains the residential amenity of existing residents.

6.9.3 It is recommended that the reserved matters application for Phase 2B of the development be approved

IMPLICATIONS AND RISKS

Financial implications and risks:

None arising.

Legal implications and risks:

None arising

Human Resources implications and risks:

There are no human resources and risks directly related to this report.

Equalities implications and risks:

This phase of the development incorporates specifically designed accommodation for wheelchair users as well as meeting the requirement at the time that the outline permission was granted for all new dwellings to meet the Lifetime Homes standard. The council's policies and guidance, the London Plan and Government guidance all seek to respect and take account of social inclusion and diversity issues.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

25 August 2016

Subject Heading:

P0584.16 - 92-94 North Street, Romford

Alteration of the roof to a mansard construction to create residential dwellings with new staircase, bin store and cycle store. (Application received 03-05-2016)

Ward

Romford Town

Report Author and contact details:

Cole Hodder
Planner
cole.hodder@havering.gov.uk
01708 432829

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 Council are in receipt of an application which seeks planning permission for alterations to the existing roof of 92 - 94 North Street to accommodate the formation of a mansard. It is proposed by way of internal partitioning to accommodate five residential units in total with the retention of some element of the commercial floor-space at ground floor.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 676 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £13,520 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £30,000 to be used for educational purposes.
- Save for the holders of blue badges, that the future occupiers of the proposed units will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

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

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

1. Time Limit

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

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

2. External Materials

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

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

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. Obscure Glazing

The proposed windows located on the north facing elevation at second floor level that serve the one bedroom unit with a GIA of 50.4m² as shown on drawing number 3510 SK05A shall be permanently fixed shut and obscurely glazed.

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

5. 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.

6. 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

7. Boundary Fencing

The proposed building shall not be occupied until details of all proposed walls, fences and boundary treatment have been 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. 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.

9. 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.

10. 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.

11. Standard Flank Window Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), 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.

12. Lighting

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

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

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

13. Non Standard Condition 1

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

Reason: To prevent noise nuisance to adjoining properties

14. Non Standard Condition 2

Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from North Street and St Edwards Way upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, 'Calculation of Road Traffic', 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS82333:1999. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: Insufficient information has been supplied with the application to judge the impact of road noise emanating from North Street/St Edwards Way in connection with the proposed new residential units. Submission of this detail prior to commencement will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.o protect future residents against the impact of road noise.

INFORMATIVES

1. Fee informative

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

2. Mayoral CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £13,520.00 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and

you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. Approval – No negotiation

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.

4. Planning Obligations

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

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

5. Street Naming and Numbering

Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.haverling.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The site lies on the eastern side of North Street, close to the junction with St Edwards Way.
- 1.2 The application building is a two storey commercial unit, last in use as a furniture retail unit. An application was made which sought a Certificate of Lawfulness for the conversion of the first floor to, two residential units. This was deemed not to require planning permission.
- 1.3 The surrounding land use is mixed. Premises which front North Street were observed to comprise of various commercial uses at ground floor with residential at first floor. The rear of North Street is populated by a variety of building forms, comprising mainly of residential uses.

2. Description of Proposal

- 2.1 This application seeks permission to construct a mansard roof, similar to the premises adjacent and introduce new residential living accommodation to the roof-space and ground floor.
- 2.2 By way of internal partitioning, five residential units will be introduced of varying size and bedroom mix.

3. History

- 3.1 D0394.15 - Certificate of lawfulness for proposed A1 use with two residential units over - Approved
- 3.2 J0033.15 - Prior Approval application for Change of use from A1 to C3 - Approved

4. Consultation/Representations

- 4.1 In accordance with recognised procedure, notification letters were sent to thirty neighbouring properties. A petition with five signatures was received in conjunction with five letters of representation. The letters of objection will be summarised below as they raise similar concerns.
- Loss of privacy
 - High number of units/overdevelopment
 - Lack of parking

4.2 Environmental Health - No objections to the proposal, requested conditions.

4.3 Highway Authority - No objections to the proposal, subject to a legal agreement preventing future occupiers from obtaining parking permits.

5. Relevant Policy

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

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

5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.

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

6. Staff Comments

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

7. Principle of Development

7.1 The site lies within the retail fringe of Romford Town Centre. The principle of introducing residential development above a ground floor retail unit is considered acceptable in land-use terms and the provision of additional housing is consistent with the NPPF as the application site is within an established urban area, and with the Romford Area Action Plan which aims to bring forward housing capacity. Although residential accommodation would be provided at ground floor, this would be to the rear and retail units would be retained at the front.

8. Density/Layout

- 8.1 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.
- 8.2 The first floor of the host building was the subject of a Certificate of Lawfulness for the introduction of two residential units over the A1 ground floor unit. It is unclear currently as to whether or not this has been implemented. With the incorporation of this element and the introduction of five additional units, the host premises would effectively accommodate 7no. residential units at a density equivalent to approximately 140 dwellings per hectare. This complies with the dwelling density stipulated by Policy DC2 for this area of Romford.
- 8.3 Staff will also seek to apply the guidance offered by the Technical Housing Standards - Nationally Described Space document which has since been adopted by London Plan Policy 3.5. Policy 3.5 stipulates requirements for gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
- 8.4 The proposed flatted block would provide 2no two-bedroom flats and 3no. one-bedroom flats with varying gross internal floor space all of which either meet or exceed the respective minimum standards as per the number of occupants they are intended to serve. The bedroom size and mix within these flats would also comply with the minimum standards set out by the technical housing standards meeting the floor area and width thresholds. Given this factor it is considered that the proposed development would be in accordance with technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 8.5 A small area of outdoor amenity space is alluded to in the design and access statement supporting the application and a narrow strip of land to the rear of the property is shown on the proposed ground floor plan. However Staff are unconvinced as to the suitability of this arrangement or that it would provide useable amenity space. Nevertheless a lack of private amenity space is not considered to be an unusual arrangement particularly for a mixed-use development in a relatively central location. Given the particular nature and location of the site staff are of the opinion that the close proximity to Romford Town Centre allows easy access to recreational activities, with parks and open areas within a close walk from the proposed residential units. An objection based on lack of on-site amenity space is therefore considered difficult to justify.

9 Design/Impact on Street-scene

- 9.1 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.
- 9.2 Given the varied building form within the locality, including a similar mansard roof to the adjoining premises, the alterations proposed to 92-94 North Street are such that they would not result in a visually incongruous or incompatible feature. It is judged that no undue impact on the existing street-scene would result.

10 Impact on Amenity

- 10.1 Issues of loss of light and overshadowing arising from the proposal are considered to be within acceptable parameters. In terms of scale, bulk and mass, the proposed development is not significantly greater than the existing built form although it is recognised that the overall size of the building will increase. This is particularly evident with regard to the altered roof form.
- 10.2 The main consideration in terms of residential amenity relates to occupiers of adjacent residential premises, including residents of adjoining flatted accommodation and unattached neighbours to the rear of North Street.
- 10.3 Staff have applied the principles of the Residential Extensions and Alterations SPD and it is considered that by retaining some degree of setback in the southern flank wall of the second floor that any harm to the outlook of first floor residents of the adjoining premises would be mitigated satisfactorily. Although the bulk of the roof will be brought closer to the flank boundary by the proposed alteration to a mansard roof it is not considered that the additional impact of this would be of significant material harm.
- 10.4 The introduction of additional windows to the north-west flank at second floor level also presents issues in terms of overlooking and loss of privacy. The existing arrangement - particularly if the residential uses established via by the Certificate of Lawfulness and Prior-Approval decisions were implemented - would have a detrimental impact on neighbouring residents, particularly those on Aveley Road. The question is whether the additional windows which would result from this application would give rise to an unacceptable loss of privacy over and above that which would be experienced from the existing first floor windows, to the degree that a refusal is justified.
- 10.5 The degree of overlooking, and angle of views would be oblique from the north facing rooms to the front of the proposed second storey, such that staff raise no objections.
- 10.6 Conversely, the windows of the bedroom and living/kitchen area of the rearmost flatted accommodation with outlook to the north would benefit

from almost unimpeded views of the rear gardens of neighbouring properties on Aveley Road. It is reasonable then to impose a condition which requires obscure glazing to the bathroom and also the living/kitchen area as the flank window would not represent the primary light source to this room. Revised plans have been received 09-08-2016 which propose an additional window within the recess between the front and rear blocks. It is considered then that the flank window which serves the bedroom can now be obscurely glazed as an alternative light source has been provided.

- 10.8 It is the view of staff that, following receipt of revised plans that the impact on adjacent neighbouring premises would fall within acceptable parameters. In reaching this conclusion consideration has been given primarily to the current relationship between the host premises and neighbouring residents to the north on Aveley Road and whether or not this relationship would be worsened.

11. Highway/Parking

- 11.1 The site is located within the outer Romford PTAL zone, with a rating of 5. As such, access to public transport is considered to be excellent, such that less than one off-street parking space per unit would be required to comply with policy.
- 11.2 In this instance however, no dedicated off-street parking has been shown.
- 11.3 Given the relatively central location of the proposal and the parking controls in place within the locality, it is the view of staff that the deficit in off-street parking shown could be controlled by the applicant entering into a Section 106 agreement to prevent future occupiers from obtaining parking permits.
- 11.4 The Highway Authority have raised no objection subject to the completion of such a legal agreement.

12. Mayoral Community Infrastructure Levy

- 12.1 The proposed development will create 5 new residential units with 672m² square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £13,520.00 subject to indexation based on the calculation of £20.00 per square metre.

13. Infrastructure Impact of Development

- 13.1 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.

- 13.2 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.
- 13.3 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.
- 13.4 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.
- 13.5 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.
- 13.6 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.

13.7 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.

13.8 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 per new residential unit for educational purposes would be appropriate.

14. Conclusion

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

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

14.3 The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of legal agreements to secure a financial contribution towards education firstly, and also to prevent future occupiers from obtaining parking permits.

IMPLICATIONS AND RISKS

Financial Implications and risks:

Financial contributions will be sought through the legal agreement.

Legal Implications and risks:

Legal resources will be required for the drafting 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.

BACKGROUND PAPERS

Application form and drawings received 03-05-2016

REGULATORY SERVICES COMMITTEE

REPORT

Subject Heading:

P0944.16 - 23 Hugo Gardens, Rainham

New three bedroom detached dwelling on land adjacent to 23 Hugo Gardens, Rainham (Application received 2 June 2016).

Ward

Elm Park

Lead Officer

Helen Oakerbee
Planning Manager

Report Author and contact details:

Cole Hodder
Planner
cole.hodder@havering.gov.uk
01708 432829

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 Council are in receipt of an application which seeks planning permission for the construction of a three bedroom detached dwelling, which would make adequate provision for off-street parking and private amenity space to the rear.

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

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

This planning application has been called in by Councillor Julie Wilkes, owing to the following concerns:

- Proposal would not be in line with existing structure of buildings and will ruin the natural open space increasing higher density within the area.
- Inadequate parking arrangement, loss of parking for residents.

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 83 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £1,660.00 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £6,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

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

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

1. Time Limit

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

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

2. External Materials

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

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

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. Removal of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, other than porches erected in accordance with the Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) 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.

5. 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.

6. 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

7. Boundary Fencing

The proposed building shall not be occupied until details of all proposed walls, fences and boundary treatment have been 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. 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.

9. 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.

10. 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.

11. Standard Flank Window Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), 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.

12. Pedestrian Visibility Splay

The proposals should provide a 2.1 x 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 DC32.

13. Vehicle Access

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

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

14. 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.

15. Domestic Sprinklers

Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system to each of the dwellings. Thereafter this provision shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

Reason: In lieu of adequate access for a Fire Brigade pump appliance and in the interest of amenity and safety for future occupiers.

16. Minor Space Standards

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.

17. Water Efficiency

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

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

INFORMATIVES

1. Approval - Following revision

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the applicant by telephone/email July 2016. The revisions involved the incorporation of a bay window to the front of the premises. The amendments were subsequently submitted on 27-07-2016.

2. Approval and Mayoral CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £1,660.00 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be

sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. Changes to the Public Highway

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. please note that unauthorised work on the highway is an offence.

4. Highway Legislation

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.

Please note that unauthorised works on the highway is an offence.

5. Temporary use of the public highway

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 license is required and Streetcare should be contacted on 01708434343 to make the necessary arrangements.

Please note that unauthorised works on the highway is an offence.

6. Planning Obligations

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

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

7. Street Naming and Numbering

Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Call In

This planning application has been called in by Councillor Julie Wilkes, owing to the following concerns:

- Proposal would not be in line with existing structure of buildings and will ruin the natural open space increasing higher density within the area.
- Inadequate parking arrangement, loss of parking for residents.

Site Description

2.1 The application relates to a plot of land which currently comprises of the side garden of a semi-detached two storey residential dwelling. Hugo Gardens is a cul-de-sac populated by pairs of two storey semi-detached residential dwellings.

2.2 To the south of the application site is Green Belt Land, however the application site is not within a designated area of any type.

3. Description of Proposal

3.1 The application is seeking planning permission for the construction of a two storey, detached, three bedroom dwelling.

3.2 Provision would be made for off-street parking and private outdoor amenity space following the subdivision of the plot. The existing outbuilding would be demolished to accommodate the car parking spaces.

3.3 The proposed dwelling would have a footprint of 58m², and feature a hallway, bathroom, kitchen/dining room and lounge at ground floor and two single bedrooms, one double bedroom and a bathroom at first floor in addition to a landing area.

4. History

4.1 None relevant

5. Consultation/Representations

5.1 In accordance with recognised procedure, notification letters were sent to twenty-eight neighbouring properties. Six letters of representation were received which will be summarised below:

- Unsuitable for an additional dwelling in an already congested area
- Concern over vehicle access/increased on street parking
- Loss of views of the Brittons Playing Fields
- Increased flood risk
- Disruption during construction
- Property devalued
- Overlooking/loss of privacy

5.2 The above comments are recognised by staff and where they represent material considerations will be referenced within the body of this report. Some of the issues raised such as property devaluation and disruption during construction do not constitute material planning considerations.

5.3 Environmental Health - No objections to the proposal, requested conditions.

5.4 Highway Authority - No objections, condition recommended.

5.5 Thames Water - No objection with regard to sewerage capacity.

5.6 Fire Brigade (Hydrants) - No Objection

5.7 Fire Brigade (Access) - Objection, dead end access road does not have a suitable turning facility for a pump appliance. Recommended installation of domestic sprinklers throughout the proposed dwelling in order to overcome objection.

6. Relevant Policy

- 6.1 Policies CP1, CP2, CP17, DC2, DC3, DC7, DC33, DC35, DC61, DC63, DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant.
- 6.2 Also relevant are Policies 3.1, 3.4, 3.5, 3.8, 5.12, 6.9, 7.1, 7.3, 7.4, 8.3 of the London Plan and the National Planning Policy Framework (NPPF)
- 6.3 The Technical housing standards - national described space standard is also applicable.

7. Staff Comments

- 7.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses and the suitability of the proposed parking and access arrangements.
- 7.2 The applicant provided revised plans on 27 July 2016 which introduced a bay window to the front elevation at the request of staff.

8. Principle of Development

- 8.1 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 8.2 On this basis the proposal is considered to be policy compliant in land use terms and its continued use for domestic residential purposes is therefore regarded as being acceptable in principle.

9. Density/Layout

- 9.1 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.
- 9.2 Staff will also seek to apply the standards offered by the Technical Housing Standards - Nationally Described Space document which has since been adopted by the London Plan. Contained within this document are requirements for gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights.
- 9.3 The proposed dwelling exceeds the required gross internal floor area and benefits from sufficient headroom in excess of the required 75%. It

is also the view of staff that the proposed dwelling would comply with all other standards which must be applied in terms of bedroom sizing and mix. Staff therefore conclude that the internal layout would make provision for an acceptable standard of living for future occupiers.

- 9.4 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading. A satisfactory and useable area of outdoor space will be provided/retained for host and proposed dwellings. In terms of size, an area of some 84m² will be set aside for the proposed dwelling and an area of 56m² will be retained for the host property. The proposed amenity space for each dwelling is considered to be sufficient for day to day living.

10 Design/Impact on Street-scene

- 10.1 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.
- 10.2 Hugo Gardens is a cul-de-sac with a vehicle turning circle at its extremity, framed by two storey semi-detached dwellings. The introduction of a detached dwelling would therefore represent somewhat of an anomaly.
- 10.3 The ridge height of the proposed dwelling is consistent with the locality and the introduction of a bay window to the front elevation reflects a unifying trait shared by other properties within the cul-de-sac. It is the opinion of staff that this helps integrate the property within the existing street-scene.
- 10.4 The proposed dwelling would be consistent in terms of its overall proportions to other two storey dwellings in the vicinity of the application site and would appear to respect the established front and rear building line of the adjacent premises 23/21 Hugo Gardens in spite of its unusual plot shape. In addition, the two storey projection to the rear accords with the guidance contained within the Residential Extensions and Alterations SPD.
- 10.5 No objections are raised from a visual perspective.

11 Impact on Amenity

- 11.1 The depth of the proposed dwelling is proportionate to the unattached neighbour to the east. Staff observed from site inspection that this neighbour benefits from two flank windows at ground floor, the first of which serves a hallway. The second serves a kitchen, however it is noted by staff that the flank window does not represent the sole light

source of this room. The kitchen and flank window that serve it is located in the flank wall of an historic two storey side extension (1965) and is therefore not afforded the same level of consideration as that of the original flank wall. This view is supported by the Residential Extensions and Alterations SPD.

11.2 The proposed dwelling would not give rise to any unacceptable impact on the amenity of other neighbouring occupiers, including no. 16 which is at right angles to the application site.

11.3 Residents have objected on the basis that the introduction of the proposed dwelling would impede views of the open playing fields to the rear of the site. Loss of "view" is not in itself a material planning consideration. Any loss of view would need to demonstrate actual harm to residential amenity which in this case it does not. The proposed dwelling would not appear overly dominant, nor visually obtrusive when seen within the context of the built up cul-de-sac and existing built form.

12. Highway/Parking

12.1 Whilst attending site, staff observed the level of on-street parking to be high, not all premises benefit from vehicle crossovers/hard surfaced front gardens.

12.2 The policy requirement for the area is 1.5-2 parking spaces per dwelling, host and proposed due to the PTAL rating for the premises which is 1b. The proposal exceeds this threshold. Two spaces are proposed for the new dwelling where a garage and an existing vehicle crossover are in situ presently. The donor dwelling benefits from an area of hard-surfacing to the frontage and it is proposed to accommodate two vehicles here.

12.3 No objection has been raised by the Highway Authority and consequently the arrangement demonstrated by the applicant is considered to be acceptable, subject to safeguarding conditions.

13. Mayoral Community Infrastructure Levy

13.1 The proposed development will create 5 new residential units with 83M² square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £1,660.00 subject to indexation based on the calculation of £20.00 per square metre.

14. Infrastructure Impact of Development

14.1 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.

- 14.2 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.
- 14.3 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.
- 14.4 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.
- 14.5 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.
- 14.6 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.

14.7 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.

14.8 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.

15 Conclusion

15.1 Having had regard to the above, and in doing so all relevant planning policy and other material considerations, subject to the conditions below, it is recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

Financial contributions will be sought through the legal agreement.

Legal Implications and risks:

Legal resources will be required for the drafting 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.

BACKGROUND PAPERS

Application form and drawings received 02-06-2016

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REGULATORY SERVICES COMMITTEE

REPORT

25 August 2016

Subject Heading:

**P1129.16: Land adjacent to 41
Manston Way, Hornchurch**

**Two storey side extension and single
storey rear extension to dwelling to
provide 2 dwellings (Application
received 15 January 2016).**

Ward:

Elm Park

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

**Hugo Marchant
Principal Planning Officer
hugo.marchant@havering.gov.uk
01708 434796**

Policy context:

**Local Development Framework,
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 erection of a two storey side extension and single storey rear extension to an existing four bedroom end of terrace house to provide a new 3 bedroom house.

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

The application has been called in by Councillor Barry Mugglestone.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £1,400 subject to indexation. This is based on the creation of 70 square metres of new gross internal floor space.

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

- A financial contribution of £6,000 to be used for educational purposes
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 Agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs 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 obligations/ 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 that the Committee delegate authority to the Head of Regulatory Services to grant planning permission subject to the conditions set out below:

1. Time Limit

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

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

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans 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. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. External Materials

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

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

4. Landscaping

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. The landscaping should take into account the requirement for adequate visibility splays for residents parking their cars and shall include a vehicular access across the entire width of the site. The development shall not be occupied until the landscaping has been implemented. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season

following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

5. 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 proposed boundary should take into account the requirement for adequate visibility splays for residents parking their cars. The boundary development shall then be carried out in accordance with the approved details before first occupation of the development and retained permanently thereafter to the satisfaction of the Local Planning Authority.

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

6. Refuse and Recycling

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of refuse storage facilities. Submission of this detail prior to commencement will protect the amenity of occupiers of the development and also the visual amenity of the development and the locality generally. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Cycle Storage

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

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

8. Removal of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) , no development shall take place under Class A, B, C, D and 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.

9. Wheel Washing

No development shall take place until a scheme of vehicle cleansing has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details, which shall be retained for the life of the development.

The submitted scheme will provide the following details:

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

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

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

10. Construction Method Statement

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

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

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

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

11. Hours of Construction

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

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

12. Contaminated Land

Prior to the commencement of any groundworks or development on the site, the following measures are to be taken:

- a) Suitable ground protection measures including, but not necessarily limited to, the installation of suitable gas resistant membrane shall be implemented at the new or extended building to the satisfaction of the Local Planning Authority. The details of the design and proposed installation of these measures shall be submitted to, and agreed in writing by, the Local Planning Authority prior to the commencement of development.
- b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out to the satisfaction of the Local Planning Authority.

Reason: To ensure that the occupants of the development and property are not subject to any risks from soil gas and/or vapour in accordance with LDF Core Strategy and Development Control Policies Development Plan Document Policy DC53.

13. Parking

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. The parking area should provide 2 parking spaces for each of the houses with an area between the houses set aside for a refuse store.

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.

15. Flank Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), 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. Accessible and Adaptable Buildings

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.

17. Water Efficiency

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

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

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

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

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

3. The proposal involves works which affect the highway and/or its verge. Before commencing such works you must obtain separate consent of the Highway Authority. Please contact the Streetcare on 01708 432563.
4. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices

of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. 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 £1,400 (subject to indexation). Further details with regard to CIL are available from the Council's website.
7. 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.
8. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
9. Before occupation of the residential/ commercial unit(s) hereby approved, it is required to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

REPORT DETAIL

1. Call In

- 1.1 The application has been called in by Councillor Barry Mugglestone. The reasons given were:

This plot of land has already been over developed and it will now have doubled its original foot print. The flank wall will be moving closer to Numbers 43 & 45 Manston Way affecting their light and visual amenities. A mature tree will have to be removed if this extension goes ahead. I only wish to call this in the planning officer is recommending the planning application is to be approved.

2. Site Description

- 2.1 The application site comprises an end of terrace house which faces north onto Manston Way, Hornchurch. The house is wider than the other properties in the terrace as it is provided with an integral ground floor garage. The house has a generous rear garden and a hard paved area to the front which provides space for parking two cars. At the bottom of the rear garden is an outbuilding which can be accessed from a service road leading from Rochford Close to the east of the property. The outbuilding is currently used for parking two cars. The outbuilding is to be retained for the use of residents of the existing house.
- 2.2 To the north of the site is Manston Way and to the south is the flank of 55 Manston Way which is a semi-detached house facing east onto Manston Way (Manston Way loops around behind the site). To the west are the rear gardens of 43 to 53 Manston Way and to the east is the adjoining house in the terrace - 39 Manston Way.

3. Description of Proposal

- 3.1 The application seeks planning permission for the erection of a two storey side extension and a single storey rear extension to the existing house to enable the provision of a new 3 bedroom end of terrace house. The number of bedrooms in the existing house would be reduced from four to three.
- 3.2 The front and rear gardens would be divided lengthways to provide equal areas for the two houses and the existing dropped kerb extended to provide

access to parking spaces to the front of each house. The existing integral garage would be retained and would be incorporated within the new house.

4. Relevant History

- 4.1 P0933.01 - Erection of a detached garage. This application relates to the outbuilding at the bottom of the garden. It was subsequently found to be permitted development with deemed planning permission.
- 4.2 E0013.01 - Erection of a detached garage. A Certificate of Lawful Development was issued for the outbuilding in 2001.
- 4.3 P1504.15 - Erection of a two storey side extension and single storey rear extension. This application was withdrawn on officer request as the plans showed a separate unit of accommodation with no connection to the host building.
- 4.4 P1920.15 - Two storey side extension and single storey rear extension to dwelling to provide a new house. This application was withdrawn on officer recommendation as the proposal was not accompanied by a Daylight and Sunlight Report or an Arboricultural Assessment.

5. Consultations/Representations

- 5.1 31 letters were sent notifying neighbouring occupiers of the application. Three responses have been received objecting to the proposal. The objections are set out below.
 - The proposal resulting in an increase in pressure on on-street parking in the area and consequently impacting on road safety.
Note: highways issues are addressed in the report below.
 - Loss of amenity to residents of 43-45 Manston Way (a semi-detached pair of properties facing west onto Manston Way to the west of the site) due to enclosure, loss of light and outlook caused by the side extension.
Note: amenity issues are addressed in the report below.
 - Detrimental impact of the proposed side extension on trees in the garden of 45 Manston Way.
Note: arboriculture issues are addressed in the report below.
 - Issues relating to the erection of scaffolding and loss of security to the neighbouring property during the build.
Note: these issue falls under the remit of civil law (e.g.: The Party Wall Act) and are not a planning consideration.
- 5.2 London Fire Brigade Water - no objection.
- 5.3 London Fire Brigade Access - no objection.

5.4 Local Authority Environmental Protection - no objection subject to the imposition of a condition relating to land contamination (see conditions above).

5.5 Local Highway Authority - no objection to the proposals.

6. Relevant Policies

6.1 Local Development Framework:

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC33 (Car Parking), DC53 (Contaminated land), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered to be relevant together with the Design for Living Supplementary Planning Document, the Residential Extensions and Alterations SPD and the Planning Obligations Supplementary Planning Document (Technical Appendices).

6.2 London Plan:

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local character), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) are relevant. Together with the London Plan Housing Supplementary Planning Guidance.

6.3 National Planning Policy Framework:

Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

7. Staff Comments

7.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses and the suitability of the proposed parking arrangements.

Principle of Development

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

7.3 In terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is within a predominantly residential area.

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

Density/ Layout

- 7.5 Policy DC2 of the LDF provides guidance in relation to the density of residential developments. The application site has an area of 0.035 hectares and the proposal is for two dwellings which equates to a density of 57 dwellings per hectare. This is within the range 30-65 dwellings per hectare anticipated by Policy DC2 for this suburban location.
- 7.6 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conforms to minimum internal space standards set out in the Department for Communities and Local Government document *Technical housing Standards - nationally described space standard*.
- 7.7 For a two storey three bedroom house designed for five people the standard is set at 93 square metres of gross internal floor area. Both the proposed house and the existing house exceed these standards and are considered to be an acceptable size.
- 7.8 The Council's Design for Living SPD recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- 7.9 The proposal provides 56 square metres of rear garden space for the existing house and 72 square metres for the new house. Both gardens would have a depth of 11 metres. It is considered that the proposed 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.

Design/Impact on Street/Garden Scene

- 7.10 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. The side extension to the terrace is contiguous with the existing building and has a gable end which reflects the existing design. Both side and rear extensions comply with supplementary guidance relating to residential extensions. It is considered that the height and scale of the proposed extensions are compatible with the prevailing

scale and character of development within the locality and that the external design and appearance of the dwellings would integrate satisfactorily with the streetscene.

- 7.11 The proposed dwellings would utilise a mixture of materials including facing brickwork and render, UPVC windows and clay roof tiles. The proposed materials are considered to be acceptable. Details of the specific materials to be used would be secured by condition should planning permission be granted.

Impact on Amenity

- 7.12 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 7.13 To the west of the application site is the rear of a pair of semi-detached houses which face onto Manston Way. The proposed side extension has a width of 2.45 metres and would be built to the boundary with these properties. This will result in the flank of the extension abutting the bottom of the rear gardens of 43-45 Manston Way and having a distance from the main rear wall of these houses of some 11.6 metres.
- 7.14 A Daylight and Sunlight Report has been submitted with the application and this demonstrates that while there will be some loss of daylight and sunlight to the adjacent houses and their gardens, the proposal complies with the recommendations set out by the Building Research Establishment. It is considered that the proposal would not have an unacceptable effect on the level of daylight and sunlight reaching neighbouring properties and their gardens.
- 7.15 It is considered that the separation of the extension from the rear of the properties to the west is sufficient to preclude any loss of outlook and would not lead to a degradation of the perceived quality of the outdoor space from enclosure.
- 7.16 The proposed rear extension has a depth of 3 metres. The monopitch roof has a height of 4 metres at the main rear wall and 3 metres at the eaves. It is not considered that the extension would cause any material loss of amenity to the adjoining property.

Arboriculture

- 7.17 The application is accompanied by an Arboriculture Report. This identifies a semi-mature Ash in the rear garden of 43 Manston Way adjacent to the boundary wall and concludes that the proposed pile and beam foundation

has a minimal impact on the root system of trees and should not damage the roots of the Ash. The same would be true for the other smaller trees along the boundary.

Parking and Highway Issues

- 7.18 The site has a low Public Transport Accessibility Level of 2 and Policy DC2 (Housing Mix and Density) of the LDF advises a maximum of 2 to 1.5 spaces in this suburban location. The proposal is for the provision of 2 parking spaces to the front of the existing house and 3 to the front of the new house which would also benefit from the existing integral garage. There is therefore an overprovision of 2 spaces for the scheme. Should planning permission be granted it is proposed that a condition is imposed to require the provision of an enclosed refuse store for the houses in place of one of the parking spaces (see conditions above).
- 7.19 The Local Highway Authority has raised no objection to the proposal and advises that the proposed car parking and access arrangements are considered to be satisfactory subject to condition.
- 7.20 An objection has been raised by an occupant of a neighbouring property that the proposal would exacerbate current issues with parking congestion and inconsiderate parking. The parking provided for the scheme complies with policy requirements and objections that future residents would park in an inconsiderate manner are speculative in nature and cannot be used as an argument against the proposal.

Community Infrastructure Levy and Developer Contributions

- 7.21 The proposed development will create 1 new residential unit and there would be an increase of 70 square metres of floorspace. The proposal, which is liable for Mayoral CIL, will incur a charge of £1,400.00 based on the calculation of £20.00 per square metre.
- 7.22 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.
- 7.23 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.

- 7.24 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.
- 7.25 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.
- 7.26 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.
- 7.27 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.
- 7.28 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.
- 7.29 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 £6,000 for educational purposes would be appropriate.

8. Conclusion

- 8.1 The principle of the proposal complies with local and regional policies, the siting, scale and location of the proposal would not be disproportionate or

have a harmful impact on the character of the street scene or rear garden setting nor would it result in a material loss of amenity to neighbouring occupiers. The proposal is considered to comply with policy and it is therefore recommended that planning permission be granted subject to conditions and the applicant entering into a legal agreement to secure the infrastructure contribution.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be needed to draft 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.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 12 July 2016.

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