



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

Thursday
6 October 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:
Richard Cursons 01708 432430
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Protocol for members of the public wishing to report on meetings of the London Borough of Havering

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

Reporting means:-

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

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

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

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

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

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

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

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

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

4 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 26)

5 P0179.16 - 21 BRIERY CLOSE, HORNCHURCH (Pages 27 - 42)

6 P1870.16 - 330 ABBS CROSS LANE (ADJ) HORNCURCH (Pages 43 - 62)

- 7 **P0938.16 - AVELON ROAD CENTRE, SOUTH HORNCHURCH** (Pages 63 - 70)

- 8 **P0384.16 - PINWOODS PUBLIC HOUSE, ST JOHNS ROAD, ROMFORD** (Pages 71
 - 90)

- 9 **P1215.16 - 14 BEVERLEY GARDENS AND LAND REAR OF 12, 16, AND 18
 BEVERLEY GARDENS, EMERSON PARK** (Pages 91 - 110)

- 10 **P0922.15 - DOVERS CORNER INDUSTRIAL ESTATE, RAINHAM** (Pages 111 - 168)

- 11 **URGENT BUSINESS**

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

Andrew Beesley
Committee Administration
Manager

Regulatory Services Committee

6 October 2016

Application No.	Ward	Address
P0348.16	Romford Town	79 Park Lane, Hornchurch
P1031.16	Emerson Park	17 Nelmes Road, Hornchurch
P1190.16	Elm Park	19 Station Parade, Hornchurch
P1198.16	Upminster	3 Ockendon Road, North Ockendon
P1305.16	Elm Park	300 Upper Rainham Road, Hornchurch

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OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th October 2016

APPLICATION NO. P0348.16
WARD: Romford Town **Date Received:** 27th June 2016
Expiry Date: 22nd August 2016
ADDRESS: 79 Park Lane
Hornchurch
PROPOSAL: Retrospective application for change of use from professional services
(Use Class A2) to Laundrette (Sui Generis)
DRAWING NO(S): OS map
Proposed layout
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the
condition(s) given at the end of the report

SITE DESCRIPTION

Two storey mid terrace property with dry-cleaners at ground floor and flats above. The unit was previously in A1 use. The surrounding area comprises of a commercial row of shops with residential accommodation above on the eastern side of Park Lane, surrounded by residential properties. The site is located within the Park Lane Minor Local Centre.

DESCRIPTION OF PROPOSAL

The application is for a retrospective change of use from a shop (A1) to a laundrette/dry cleaners (sui generis).

Opening hours are from 8:00 to 18:00 Monday to Saturday, 10:00 to 15:00 on Sundays. The Laundrette is closed on Bank Holidays.

There is 1 full time employees.

RELEVANT HISTORY

P1128.97 - Change of use to B1 office use
Apprv with cons 31-10-1997
P0517.94 - Change of use from Class A1 to Class A2
Apprv with cons 27-07-1994

CONSULTATIONS / REPRESENTATIONS

Neighbour notification letters were sent to 12 local addresses. No letters of representation were received. At the time of writing this report the neighbour notification period had not expired (site notice due to expire on 30 September). Members will be advised if any representations are received at the Committee meeting.

Highway Authority - No objection.

Environmental Health - No objection. Initial request for conditions has been withdrawn as this is a retrospective application that has been in operation for the best part of 18 months.

RELEVANT POLICIES

LDF

DC16 - Core and Fringe Frontages in District and Local Centres

DC61 - Urban Design

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not liable for Mayoral CIL.

STAFF COMMENTS

The issues arising from this application are the principle of the development, including the impact of the proposed change of use on the retail vitality and viability of the Park Lane Minor Local Centre, impact on residential amenities and highways/parking.

PRINCIPLE OF DEVELOPMENT

Planning permission for retail uses (A1) and other uses appropriate to a shopping area (A2, A3, A4, A5) in the borough's Minor Local Centres will be granted at ground floor level. Exceptions may be made where the applicant can demonstrate, through twelve months marketing information, that the premises have proved difficult to dispose of for any such use.

This is a retrospective application which has been in use for some time and the applicant has not been able to demonstrate that the premises have proved difficult to dispose of for a retail use. It should however be noted that the premises was previously granted permission for a A2 and B1 use.

The use of the premises as a laundrette would have similar characteristics to that of an A use and would provide services appropriate to the Park Lane Minor Local Centre and therefore would contribute to the vibrancy and vitality of the locality. It should be noted that the premises was previously in A2 use and therefore no loss of retail has resulted. Staff are of the view that the proposal would maintain an active shop front and has the potential to make a contribution to pedestrian flows. It is proposed that the premises be open Monday to Sunday during normal shopping hours.

DESIGN / IMPACT ON STREET / GARDEN SCENE

This is a retrospective application and no external changes are proposed.

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. In this instance, opening hours are proposed to be from 8:00 to 18:00 Monday to Saturday and from 10:00 to 15:00 on Sundays.

Staff are of the view that the use would be unlikely to generate unacceptable levels of noise when viewed against the existing background noise levels arising from other uses in the locality.

HIGHWAY / PARKING

The proposed use would not alter the existing parking situation. The site is accessible by a variety of transport modes including public transport, walking, cycling and the car. For these reasons it is considered that the proposal would pose no adverse effect on the function of the highway. The Highways Authority has no objection to the proposal. It is considered that the proposal would not result in any highway or parking issues.

KEY ISSUES / CONCLUSIONS

Although the change of use would be contrary to Policy DC16, it is considered that a laundrette use would be acceptable, particularly as it would make a positive contribution to the vitality of the Park Lane Minor Local Centre. The opening hours are deemed to be acceptable and it will not be detrimental to neighbouring amenity. There are no parking issues arising nor would the proposal give rise to any other highway issues. It is therefore recommended that the application be approved.

RECOMMENDATION

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

1. SC27 (Hours of use) ENTER DETAILS

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 18:00 on Mondays to Saturdays, from 10:00 to 15:00 on Sundays and not at all on Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

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 - 6th October 2016

APPLICATION NO. P1031.16
WARD: Emerson Park **Date Received:** 3rd June 2016
Expiry Date: 10th October 2016
ADDRESS: 17 Nelmes Road
Hornchurch
PROPOSAL: Alterations to previous planning application P0961.15 to extend and alter existing dwelling (altered front elevation and rear, reduced roof height and additional obscured glazed windows in flank walls)
DRAWING NO(S): 2015/05/06 A
2015/05/08 D
2015/05/10
2015/05/07 D
2015/05/09 D
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 Kelly on the grounds of clarifying the position between the application on the same property which is subject to possible enforcement and this new application.

BACKGROUND

This application is a resubmission of a previously approved planning application P0961.15 for substantial two storey side and rear extensions which are nearing completion. Complaints from neighbours were investigated whereupon it was found that there were some differences between the extensions as built and those for which planning permission had been granted. This application has been submitted seeking permission to regularise those alterations.

SITE DESCRIPTION

The subject dwelling was originally a detached chalet style dwelling located within Sector 6 of the Emerson Park Policy Area.

The extended two storey detached dwelling is finished in face brick and the implementation of the previous permission is nearing completion. Ample off street parking is provided within the site. The area is characterised by two storey dwellings of various designs.

DESCRIPTION OF PROPOSAL

The principle of substantial extensions to this property has been established by the previous consent P0961.15 and this application relates solely to the changes outlined below in relation to the previously approved scheme.

1. The overall depth of the proposal (in effect the house) has increased by 80cm to the rear of the dwelling.

2. The two storey front projection no longer has a stepped design.
3. The overall height of the property has been reduced from approximately 10.5m to 10.2m, with a greater flat roof section and the addition of 5 no. roof lights, two to the front and three to the rear.
4. Changes to the fenestration and doors including a reduction of first floor windows on the rear elevation, an additional first floor flank window adjacent to No.15 and two additional flank windows adjacent to No.19, one at ground and first floor. The size of the windows have increased marginally compared to those shown on the previously approved drawings.

In addition, changes have been made to the ground floor rear elevation with the design of the patio doors adjacent to No.15 being altered and two doors being replaced by windows.

RELEVANT HISTORY

- P0961.15 - Removal of rear and side extension and construction of new rear two storey and side extensions. Installation of new security gates and railings to front boundary with Nelmes Road.
Apprv with cons 17-08-2015
- P0552.02 - Rear dormer window
Apprv with cons 23-05-2002
- P0320.94 - Single storey side & rear extensions
Apprv with cons 22-04-1994
- P1552.91 - Erection of 2 detached houses and garages (Amendment to L/HAV/1188E/69)
Apprv with cons 02-04-1992
- P0647.91 - 2 No. 4 Bedroomed houses with garage
Refuse 10-10-1991

CONSULTATIONS / REPRESENTATIONS

Letters of consultation were sent to neighbouring properties with 12 representations being received. Multiple letters and e-mails have been received due to the re-consultation of neighbours. The comments are summarised as below.

- Works have been undertaken and the Council have not taken any action.
- Work has been carried out illegally and is not compliant with previous consent P0961.15.
- Additional flank windows should be refused.
- Windows on the side elevation should be bricked in.
- All windows should be obscured glazed and fixed shut apart from open-able fanlights.
- Proposal is out of scale compared to previous application.
- The proposal has a greater visual impact, out of character with surrounding properties.
- Proposal is bigger in size and has not been rendered white.
- Over development of the site as not constructed in accordance with previous approval.
- Proposal is closer at the side boundaries at the rear of the property.
- Loss of light and overshadowing to patio area.

- There is now a third floor and the additional windows would provide a loss of privacy.
- Flank windows overlooking neighbouring properties causing a loss privacy.
- A number of vehicles are being parked on the road during construction.
- Material during refurbishment was burnt within the rear garden.
- Limited access to either side for emergency services if they needed to get to rear of property.
- Large summer house under construction which is close to the rear boundary.
- Loss of view due to removal of tress, left with an undesirable brick building.

In response to the above comments, the Council Planning Enforcement team requested the applicant submit a planning application to regularise the development after it was brought to the Planning Departments attention. The previous application P0961.15 has not been built in accordance with the approved plans and this application is to regularise the changes made on site. Any works undertaken without the relevant consent is carried out at the applicant's own risk.

The scale and alteration to the design will be assessed under the Design/Impact on Street/Rear Garden section of the report and concerns regarding loss of light privacy under the impact on amenity section of the report.

As per the previous application, ample parking will be provided within the site once the proposal has been completed and the overspill of parking will be removed as the builders will no longer be there.

Material being burnt in the rear garden, loss of view, removal of trees not protected by tree preservations orders are not material planning considerations. The burning of material within the garden would be an Environmental Health issue.

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

MAYORAL CIL IMPLICATIONS

The CIL payment is applicable as the proposal is for a extended dwelling and creates more than 100 square metres of additional floorspace. The gross internal floor area of the original dwelling and associated extensions before development commenced was 300 square metres and this can be deducted from the gross internal floor area of the extended dwelling. A total of 663 square metres of new floor space is proposed for the extended dwelling.

The difference equates to 363 square metres. On this basis, the CIL liability equals 363 x £20 per sq.m = £7,260.

STAFF COMMENTS

DESIGN / IMPACT ON STREET / GARDEN SCENE

This part of Emerson Park has a distinctive character of varied and well maintained single family detached dwellings set in spacious and well landscaped grounds.

The subject property is located in Sector 6 of the Emerson Park Policy Area where care is to be taken with regard to maintaining the original character of the area. This sector is typified by medium and large dwellings set within spacious, well landscaped grounds.

In this case the locality is comprised of similarly sized detached dwellings with a varied building line.

The principle of the development has already been accepted by the original approval. Therefore it is only for Members to consider the impact of the changes compared to the approved scheme, as detailed above.

The alterations to the roof have marginally reduced the overall height compared to the previously approved scheme, and expanded the area of flat crown. Staff consider these changes to be of almost imperceptible impact in the street scene.

The property sits in a large and wide plot and maintains a sufficient gap to the flank boundaries in accordance with the guidance for Sector 6 properties set out in the Emerson Park Policy Area SPD. The increase in the depth of the property has reduced the separation distance to No.15 Nelmes Road from a minimum 1.05m as stated on the previously approved plans to 0.95m. This arises as a result of the angled alignment of the properties to their boundaries which is a feature of this part of Nelmes Road, with the reduced separation well removed from the street, where the nominal difference would not have an unacceptable impact and no impact upon the separation between the properties.

The two storey front extension is the same depth and width as that previously approved with the stepped design on the corners removed following advice from Building Control staff. The revised design is considered to be acceptable with no additional impact upon the street scene.

Accordingly, when viewed from within the streetscene, the changes to the building compared to that previously approved are of no perceptible consequence.

When viewed from the rear garden area, the depth of the full width extension of the dwelling has been increased by 80cm since the previous consent. Given the scale of the extensions for which permission was previously granted the increase in depth is not considered to be disproportionate with the rest of the house. The house had previous extensions including two conservatories, which were removed to allow the property to be 'squared off' at the rear.

Overall Staff consider the alterations to the previously approved application P0961.15 to be very modest with little additional impact upon the character of the streetscene or rear garden environment.

IMPACT ON AMENITY

The neighbouring property to the north, No.15, is a two storey detached dwelling of similar stature and benefits from a side area approximately 3m from the common boundary. There are no flank windows at first floor affected and the small ground floor side projection incorporates two small porthole windows to a living area which are not the main source of light. This property is also set slightly further back and has a deeper rear build line.

The changes to the scheme do not affect the separation between the properties which is maintained at approximately 4m away at ground floor and 5m at first floor. The degree of separation is such that the increase in depth has minimal impact.

Two additional flank windows have been added towards the rear, one at ground and first floor serving a ground floor WC and en-suite respectively. In respect of the first floor window, these have been obscured in the way of a film being applied to the windows and the mechanism for opening them has been removed. These first floor windows face the flank wall of this neighbouring dwelling and will be conditioned to be obscured glazed and fixed shut. The ground floor window does not have any material impact as it faces towards the boundary fence. The potential impact on this neighbouring property arising from overlooking and loss of privacy is considered to be minimal.

The separation from the neighbouring property to the south, No.19, is similarly unaffected by the alterations from the previously approved plans with a separation of approximately 4 metres maintained. The proposal is of a sufficient distance for the additional 0.8m depth not cause any unacceptable impact by way of overshadowing or other loss of amenity.

As with the other flank elevation, an additional window has been added at first floor to the rear serving the master bedroom. The size of the flank windows have increased in size. As with the other first floor flank windows, a film has been applied to make them obscured and the opening mechanism has been removed. The four proposed windows at ground floor are screened by a 2m high boundary fence and are sited approximately 0.95m away from the shared boundary.

The addition of rooflights is not considered to have any unacceptable impact upon the amenity of neighbouring properties.

In all, Staff consider the proposal causes little or no impact on the amenity of surrounding or neighbouring properties.

HIGHWAY / PARKING

The application site has a PTAL of 2 and the proposal retains the use of a garage together with ample off street parking to the front elevation. No highway or parking issues would arise from the proposal.

OTHER ISSUES

Comments have been made regarding the construction of an outbuilding in the rear garden which is not the subject of this application.

Normal permitted development guidelines allow for outbuildings to be constructed up to 2.5m high within 2m of the boundary. The structure is slightly over permitted development at 2.6m but Planning Enforcement have recommended the case be closed as not expedient to pursue.

KEY ISSUES / CONCLUSIONS

Staff appreciate that Members will be concerned that changes to the approved extensions to this property were made during construction without the necessary consent. However, none of the alterations will have such significant or materially harmful impact upon the street scene or the amenity of neighbouring properties to render them unacceptable or to warrant refusal. The revised 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. SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC10 (Matching materials)

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

Reason:-

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

3. SC32 (Accordance with plans)

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

Reason:-

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

4. SC34A (Obscure and fixed glazing)

The windows to the north flank and the south flank at first floor shall retain permanently obscured glazing and shall remain permanently fixed shut and thereafter be maintained as such.

Reason:-

In the interests of privacy, and in order that the development accords with the 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) (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. Approval and CIL (enter amount)

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £7,260 (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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th October 2016

APPLICATION NO. P1190.16
WARD: Elm Park Date Received: 26th July 2016
Expiry Date: 20th September 2016
ADDRESS: 19 Station Parade
Hornchurch
PROPOSAL: Change of use from A1 to a nail and beauty salon (sui generis)
DRAWING NO(S): 1987.01
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site comprises the ground floor of a 3 storey building, with residential units above, within a parade of shop units on the west side of The Broadway near Elm Park London Underground station. The site is within the core retail area of the Elm Park Minor District Centre.

The ground floor is currently vacant but was formerly a greengrocers shop. No information is provided on how long this unit has been vacant for. The neighbouring properties within the parade consist of mainly retail uses on the ground floor with residential above. The parade is set back from the highway and allows for on street car parking.

DESCRIPTION OF PROPOSAL

The application is for a change of use from shop (A1) to a Nail Bar (Sui Generis).

The Nail Bar would employ 2 full time and 2 part time staff and open from 10.00am to 21.00pm Monday to Saturday and be closed on Sundays and Bank Holidays.

RELEVANT HISTORY

D0272.16 - certificate of lawfulness for nail and beauty salon
Withdrawn - Invalid 19-07-2016

CONSULTATIONS / REPRESENTATIONS

The application was publicised by the direct notification of 15 adjoining properties and by site notice. No objections were received.

Environmental Health - requested condition requiring adequate system of ventilation to control odours

Highways - no objection.

RELEVANT POLICIES

LDF

- DC16 - Core and Fringe Frontages in District and Local Centres
- DC32 - The Road Network
- DC33 - Car Parking
- DC61 - Urban Design

OTHER

- LONDON PLAN - 4.9 - Small shops
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not CIL liable

STAFF COMMENTS

The issues arising from this application are the principle of the change of use, the impact on retail vitality and viability, amenity and parking and highway issues.

The application is brought before Committee as the proposals represents a departure from the development plan.

PRINCIPLE OF DEVELOPMENT

Policy DC16 of the LDF Core Strategy and Development Control Policies DPD indicates planning permission for service uses (A2, A3, A4, A5) will only be granted within District and Neighbourhood Centres throughout the retail core at ground floor level where:

- the use provides a service appropriate to a shopping area
- the proposal will not result in the grouping of 3 or more adjoining A2-A5 uses
- within the retail core of Hornchurch and Upminster the proposal will not result in the proportion of non-retail uses within the relevant frontage exceeding 20% of its total length. Within the retail cores of Collier Row, Elm Park, Harold Hill and Rainham and the Major Local Centres, a 33% figure will apply.

This application is for a Nail Bar providing treatments such as manicures, pedicures and artificial nails. It would not fall within classes A2-A5 and would be in a class of its own or "Sui Generis".

In terms of the other criteria of Policy DC16:

a) this use can be considered to provide a service appropriate to a shopping area; it would provide a service to shoppers, create a footfall and generally contribute to the vitality and viability of the centre. The nail bar would be open during normal shopping hours. As such, nail bars/salons are often found in town centre locations and on commercial parades.

b) the uses adjoining this unit are shown below and indicate that the proposal would result in the grouping of 3 or more adjoining non A1 uses;

No. 16 - Obsession bait shop (A1)

No. 17 - Soul 2 soul - African and Caribbean restaurant and takeaway (A3/A5)

No. 18 - SunCity tanning (sui generis)

No. 19 - THE APPLICATION SITE

No. 20 - Charlotte's Dry Cleaners (A1).

No. 21 - Relate charity shop (A1)

c) the proportion of non-retail uses within the relevant frontage of the Elm Park centre will not exceed 33% of its total length. The relevant frontage in this case was judged to be those units from 1 to 24 Station Parade. The calculation is based on there being 3 existing non A1 uses in the parade with a combined frontage of 16.2m out of a total parade frontage length of 140m, while the application site would add 5m; allowing this change of use would result in a proportion of 15%, well below the 33% limit for this centre.

The proposal fails one of the criteria of Policy DC16. However, it is noted that there are currently 6 vacant units within this parade of 24 units, which is a very high proportion. It is not clear how long these units have been vacant for but it is clearly desirable for the viability and vitality of the parade to bring vacant units back into use.

Although the proposed use would not be an A class use, it is considered it would perform a complementary role to the retail units in the parade and contribute to its viability and vitality. On this basis, rather than have extended vacancy in the parade, it is considered that the nail bar use could be allowed as an exception to Policy DC16. Subject to safeguarding the character and appearance of the area, neighbours' amenity and no harm to highway safety, the proposed change of use is therefore considered acceptable in principle.

IMPACT ON AMENITY

The proposal is for use which would provide a service within an established shopping area. The proposed opening hours are not considered to be unacceptable such that, although there are residential units above the shops, the level of noise and activity created by the nail bar use would not be likely to be greater than for other commercial uses.

Odours dispersing from the proposed nail bar use are likely to create unacceptable impacts on the amenity of adjoining residential properties. It is therefore considered that to safeguard neighbours living conditions the premises would need to be insulated to prevent the passing of odours to neighbouring properties and installed with a ventilation system that would not exceed noise levels of LA90- 10dB and would not disperse any odours below the eaves height of the premises. As with other approvals for nail bars in the Borough, the required works will be secured by way of condition in the interests of residential amenity.

HIGHWAY / PARKING

There are pay and display parking spaces immediately outside the shop unit. No objections to this

proposal have been raised by the Council's Highways section. No significant impacts on highways and parking are likely to arise from this proposal.

KEY ISSUES / CONCLUSIONS

The proposal is for a change of use to a non-A Class Use within the Minor District Centre. It is recognised that nail/beauty salons, while not falling within an A-Class Use, provide a service compatible with and complementary to other town centre activities. While the proposal fails one criterion of Policy DC16, the high level of vacant units in this parade argues for a more flexible approach.

There are no other issues raised by the proposal. It is considered that the proposal can be considered as an exception to Policy DC16 of the LDF Core Strategy and Development Control Policies DPD as the proposal would not have an adverse impact on retail vitality and viability in the town centre.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accord 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. Non Standard Condition 1 (Pre Commencement Condition)

Before the use commences details of how the building is to be insulated in order to ensure that it is effectively sealed to prevent the passage of odours through the structure of the building to other premises and dwellings shall be submitted in writing to the local planning authority for approval, and unless the approved details are implemented within six months of the local planning authority's approval, the use of the site as an Nail Bar shall cease.

Reason:-

Insufficient information has been submitted to demonstrate how adjoining premises will be protected from noise and smell. Submission of this information prior to commencement will protect neighbouring amenity and accord with Development Control Policies Development Plan Document Policy DC61.

4. SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 10.00 and 21.00 on Mondays to Saturdays and not at all on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

5. Non Standard Condition 2 (Pre Commencement Condition)

Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted in accordance with a scheme to be submitted to and approved by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours. Any extract ventilation fan shall be installed with flexible couplings and installed together with any associated ducting so as to prevent the transmission of noise and vibration into any neighbouring premises and shall not exceed noise levels of LA90- 10dB.

Reason:-

In order to protect adjoining premises from noise and smell in the interest of amenity 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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th October 2016

APPLICATION NO. P1198.16
WARD: Upminster Date Received: 18th July 2016
Expiry Date: 12th September 2016
ADDRESS: 3 Ockendon Road
North Ockendon
Upminster
PROPOSAL: Two Storey Side Extension and Single Storey Rear Extension.
DRAWING NO(S): OR/NAK/01
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site contains a 2 storey semi-detached dwelling with a single storey rear extension built in 1972. It lies on the west side of Ockendon Road in a small settlement within the Green Belt. It lies just outside the North Ockendon conservation area. The property contains a detached garage and there is a large separation between pairs of semi-detached dwellings in this location.

DESCRIPTION OF PROPOSAL

The proposal is for a 2 storey side extension along with a single storey extension immediately to the rear of the proposed side extension. The proposed side extension would be 3.6m wide and 9.6m deep, effectively running the full side length of the existing house. However, the rear 3.4m of this would be single storey. In addition, it is proposed to move the front entrance of the house from the side to the front elevation, with erection of a small front porch and alterations to some windows in the front elevation.

RELEVANT HISTORY

None

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 14 neighbouring properties and the application has been advertised in the press and with a site notice but no responses have been received.

RELEVANT POLICIES

LDF

CP14 - Green Belt
DC45 - Appropriate Development in the Green Belt
DC61 - Urban Design
DC68 - Conservation Areas

OTHER

LONDON PLAN - 7.4 - Local character

MAYORAL CIL IMPLICATIONS

Not CIL liable as proposed additional floorspace would be 49 sq m.

STAFF COMMENTS

The main issues for this proposal will be the acceptability of these extensions to a property in the Green Belt and whether the scale and design of the proposed side and rear extensions will have adverse impacts on the character of the existing house, the adjoining conservation area and the street scene as well as any impacts on the amenity of neighbouring properties.

GREEN BELT IMPLICATIONS

The site lies within the Green Belt. LDF Policy DC45 allows for extensions to existing dwellings in the Green Belt only where the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling. Such extensions should also not have an adverse impact upon the character or openness of the Green Belt.

However, the more recent National Planning Policy Framework (NPPF) allows for, as an exception to the normal restriction on inappropriate development in Green Belt, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The NPPF does not set a specific limit on the size of the extension, allowing a judgment to be made.

The original property has a cubic capacity of approximately 252 cubic metres when the volume of the single storey rear extension (built in 1972) is excluded. The proposed extension would have a volume of approximately 157 cubic metres. This would result in a cubic volume increase of 62%, which fails to comply with the guidance of Policy DC45, as it is above 50%.

However, despite the conflict with Policy DC45, it is considered by staff that the extension would not create a disproportionate addition to the dwelling. The proposed extension is also considered relatively unobtrusive in its relationship with the original building and a degree of spaciousness is also retained between the side extension and the side boundaries of the site, so would maintain the open character and appearance of this part of the Green Belt. On this basis, the extension is judged to be acceptable in terms of the most recent guidance in the NPPF.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The Council's SPD on Residential Extensions indicates that 2 storey side extensions to semi-detached houses should be subordinate to the existing dwelling to avoid unbalancing a pair of properties. They should therefore be set back at least 1m from the front building line to create a break in the roofline and facade.

In this case, the two dwellings in this semi-detached pair are quite different in style, one aligned at right angles to the other and they do not give an appearance of symmetrical buildings. It is possible these were once larger single dwellings that have been split into 2 units at some point. While there are several similar pairs of dwellings in this road, they are not uniform in style as a 2 storey side

extension has been built at both Nos. 1 and 5 Ockendon Road.

The proposed extension would not extend any further to the rear than the existing rear building line of the dwelling and should not adversely impact on the garden scene. The side extension would be set back by 1.2m from the front building line. The side extension would be visible from the street but the proposed extension appears subordinate to the main building and sympathetic in design. It is not considered, therefore, that the side extension would unbalance a symmetrical pair of dwellings or unduly harm a streetscene that is not uniform in building style.

The proposed front porch and alterations to the front elevation are also considered acceptable.

The dwelling is close to a conservation area but the proposals are not considered to adversely affect that area.

IMPACT ON AMENITY

The proposed side extension will have no impact on the amenity of the attached dwelling to the south(No. 3) which lies on the opposite side of the house from the extension. There is a large separation distance between the proposed side extension and the dwelling to the north, in excess of 7m, with garages to these two properties also lying in between.

No windows are proposed in the flank wall of the side extension and there is only open countryside to the rear of the property, so that there would be no increase in overlooking.

On this basis, the proposal will have no significant impacts on daylight or other amenity to adjoining properties.

HIGHWAY / PARKING

There is adequate parking space on the site and no parking or highway issues arise from this application.

KEY ISSUES / CONCLUSIONS

It is considered that the proposed side extension is acceptable in terms of its design and relationship with the original dwelling, to which it appears subordinate. It is not considered to unbalance a pair of semi-detached buildings since the two dwellings are quite different in style.

The proposed extension is also well separated from neighbouring properties and is not considered to result in a loss of amenity or harm to the nearby conservation area. Although there would be an increase in volume of over 50% in relation to the original dwelling house, the proposals would comply with the most recent Green Belt policy guidance in the NPPF and approval is recommended.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC10 (Matching materials)

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

Reason:-

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

3. SC32 (Accordance with plans)

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

Reason:-

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

4. SC46 (Standard flank window condition)

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

Reason:-

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

5. SC48 (Balcony condition)

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

Reason:-

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

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 - 6th October 2016

APPLICATION NO. P1305.16
WARD: Elm Park Date Received: 12th August 2016
Expiry Date: 7th October 2016
ADDRESS: 300 Upper Rainham Road
HORNCHURCH
PROPOSAL: Emergency installation of temporary cabins and associated reversible groundworks to facilitate a reduced provision of healthcare activities on the site, following flood damage.
DRAWING NO(S): P01
4770/D/02
PL282V
Portakabin Portaloo
Consulting rooms layout
Consulting rooms layout with fire exit
DQ2694 Rev. C
Reception
GF0001 Rev. X
PL101A
PL101 - A
Temporary pharmacy
2361.A.21
2361.C.02
Mobile dental clinic elevation
3313 Footprint
DQ0710 Rev. B
Office/canteen
P02

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

SITE DESCRIPTION

The application site comprises a medical centre and associated car parking and landscaped area located on the west side of Upper Rainham Road. The site is located in the Metropolitan Green Belt. To the north, south and west is the Eastbrook End Country Park. To the east lies the Elm Park Bowls Club. The site is bounded by hedging to the north, south and west. The Beam River runs to the west and north of the site.

The medical centre is a red brick, part two storey, part single storey building with parking for 63 vehicles on the site. Vehicular access is from Upper Rainham Road.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for the emergency installation of temporary cabins and

associated reversible groundworks to facilitate a reduced provision of healthcare activities on the site, following flood damage.

The proposal will consist of approximately 12 structures which will include temporary fixed units as well as mobile units. The proposed structures and mobile units will be utilised as a medical centre, dental surgery and pharmacy.

The temporary structures would be used on a temporary basis until such time as the flood damage to the existing buildings have been repaired. The applicant has suggested a time frame of approximately 6 months.

RELEVANT HISTORY

A0061.14 - 1No Illuminated set of Halo letters
1No Illuminated light box
1No Illuminated/Revolving projected sign
Apprv with cons 12-01-2015

P0280.13 - Single storey extension and alterations to car park with associated external works.
Apprv with cons 10-05-2013

CONSULTATIONS / REPRESENTATIONS

Six neighbours were notified regarding the application and no responses were received.

Environmental Health has requested a condition for suitable gas protection measures to be installed. However, officers note that no groundworks are proposed and it is not therefore considered that it is necessary to impose this condition.

Highways raised no objection to the proposal

Emergency Planning raised no objection to the proposal

The Environment Agency raised no objection to the proposal

RELEVANT POLICIES

LDF

CP08 - Community Facilities
CP14 - Green Belt
DC33 - Car Parking
DC45 - Appropriate Development in the Green Belt
DC48 - Flood Risk
DC61 - Urban Design

OTHER

LONDON PLAN - 7.16 Green Belt

-

MAYORAL CIL IMPLICATIONS

The additional floor space is for medical purposes and therefore not CIL liable.

STAFF COMMENTS

The main issues regarding this application are the principle of the development, implications for the Green Belt, the impact on the streetscene, the impact on neighbouring amenity and parking and highways implications.

GREEN BELT IMPLICATIONS

The application site falls within the Metropolitan Green Belt. The National Planning Policy Framework states that new buildings are inappropriate in the green belt with limited exceptions. The proposed structures does not fall within any of these exemptions and is therefore considered to be contrary to Green Belt policy and requires a case for very special circumstances.

The site was subject to flooding in June this year, which has damaged existing buildings on the site. The proposal is for emergency accommodation to provide essential medical and health services until such time as the main buildings can be brought back into use. Staff consider the temporary nature of the structures and the circumstances leading to the requirement for these structures to constitute the very special circumstances necessary to justify this development in the Green Belt.

The structures would be removed once the damage to the existing buildings are repaired and it is not considered that there would be a lasting impact on the openness of the Green Belt. A condition will be imposed to secure the removal of the temporary buildings. Staff suggest a period of up to one year would be reasonable with the structures to be removed earlier if the existing buildings are brought back into use sooner.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed extensions will have a visual impact on the streetscene, however given its temporary nature and requirement for essential medical services, Officers do not consider this to be a significant impact on the character of the Green Belt. However, owing to the temporary nature of the application this will not result in any long term impact on the streetscene or surrounding area.

IMPACT ON AMENITY

Staff note that the nearest neighbouring property is located over 100m away from the medical centre. Therefore, it is considered that the proposals would have no impact upon the amenity of residential properties.

HIGHWAY / PARKING

The proposal would result in the loss of parking spaces on a temporary basis as most of the parking area will be used to site the temporary structures. Staff consider this to be acceptable given the temporary nature of the structures. Access to the site would be unchanged. The Highways Authority has not raised an objection to the proposal.

FLOOD RISK

The site is within Flood zones 2 and 3, although the structures would be in the part of the site that is Flood Zone 2. It is considered that the proposal would be acceptable as it is temporary accommodation on the site and is for a less vulnerable type of use. As such, no objections are raised on flood risk grounds.

KEY ISSUES / CONCLUSIONS

Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal is acceptable subject to conditions and approval is recommended accordingly.

RECOMMENDATION

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

1. Non Standard Condition 1 (Pre Commencement Condition)

The temporary structures approved under this consent shall be removed from the site, and the buildings and works carried out under this permission shall be removed and the site reinstated to its former condition by 06 October 2017 or upon such time as the existing buildings on the site have been brought back into use, whichever is the sooner.

Reason:

To enable the Local Planning Authority to retain control.

INFORMATIVES

1. Approval - No negotiation required

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.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

6 October 2016

Subject Heading:

P0179.16 – 21 Brierley Close, Hornchurch

Construction of 3 new dwellings.
(Received 02/02/16, revisions received
15/07/16 and 14/09/16)

Ward:

Emerson Park

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

Evert Grobbelaar
Senior Planner
evert.grobbelaar@havering.gov.uk
01708 432724

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The proposal is for the construction of a terrace of 3 no 4-bedroom dwellings, with associated car parking to the side and amenity space to the rear.

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

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

RECOMMENDATIONS

That the Committee notes that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 347m² which, at £20 per m², equates to a Mayoral CIL payment of £6,940 (subject to indexation).

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

- A financial contribution of £18,000 to be used for educational purposes
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. Parking Provision

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

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

4. External Materials

Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the 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 external finishing materials to be used. Submission of samples prior to commencement will safeguard the appearance of the premises and the character of the immediate area and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

5. Landscaping

No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season

following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

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

6. Refuse and Recycling

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

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

7. Cycle Storage

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

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

8. Hours of Construction

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

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

9. Construction Methodology

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

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

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

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

10. Wheel washing

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

The submission will provide;

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

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

11. Boundary treatment

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

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

12. Accessibility

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

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

13. Permitted development rights

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

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

14. Vehicle access

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

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

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent via email at various stages through the application process. The revisions involved a revised layout of the development and the parking arrangement. The amendments were subsequently submitted on 15 July 2016.
3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.

4. Please note that by virtue of Condition(s) 12, you are required to notify the relevant Building Control body of these conditions as part of any application.
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 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.
6. 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.
7. 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.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a relatively square piece of empty land of approximately 0.054ha situated at the end of Brierley Close. The surrounding area is residential in character consisting of mainly two storey terraced dwellings. The site was previously occupied by a single residential dwelling however it burned down and was demolished sometime between 2010 and 2013. The ground is relatively level.

2. Description of Proposal

- 2.1. The proposal is for the construction of a terrace of 3 no. 4-bedroom dwellings, with associated car parking to the side and amenity space to the rear.

2.2 On-site parking will be provided for 6 No. vehicles to the side of the property in a tandem arrangement.

2.3 Amenity space of approximately 59m² will be provided for each dwelling to the rear of the buildings.

3. Relevant History

3.1 P1325.15 - Construction of 3 new dwellings – Withdrawn

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 36 properties and 14 letters of objection were received. The comments can be summarised as follows:

- Parking of vehicles in close proximity to neighbouring boundary will cause disturbance
- Not enough parking in Brierley Close, very congested already
- Overlooking
- Will have an impact on emergency vehicles gaining access to the Close
- Proposed dwellings are not in keeping with the surrounding area
- Over-development

4.2 The following consultation responses have been received:

- The London Fire Brigade - no objection
- Thames Water - no objection
- Highways - initial objection removed after revised plans were submitted.

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), 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, and Planning Obligation SPD (Technical Appendices)

5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture) and 8.2 (planning obligations) of the London Plan, are material considerations.

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

6. Staff Comments

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

6.2 Principle of Development

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

6.2.2 The proposal is for the redevelopment of a previously developed site.

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

6.3 Density/ Layout

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

6.3.2 Public Transport Accessibility Level (PTAL) is set at 2 meaning that the site is classified as having relatively poor access to public transport. The proposal would provide 3 no. residential dwellings at a density equivalent to approximately 55 dwellings per hectare. This is slightly in excess of the aims of Policy DC2 which states that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this location. Although the number of units per hectare is in excess of the recommended range consideration should be given to the site constraints and the form of development being proposed.

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

6.3.4 The proposal would provide residential units with varying floor space sizes all of which would meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve.

6.3.5 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading. Amenity space of approximately 59m² will be provided for each dwelling to the rear of the buildings.

6.3.6 It is considered that the proposed amenity space would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants of the dwellings. All of the proposed dwellings will have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with Policy DC61 and the Residential Design SPD.

6.4 *Design/Impact on Streetscene*

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

6.4.2 The proposal is considered not to have an unacceptable impact on the Brierley Close streetscene as it would respect the existing building line and height of terraced properties to the north. The proposal is set approximately 3.1m back from the highway at its closest point. Plots A and B will maintain the same front building line whereas Plot C will be set back a further 1.5m in order maintain some of the open nature at this part of the street. The proposal, with regard to its two storey and pitched and hipped roof design would be similar in style to that of the properties to the north.

6.4.3 The proposed development will be situated approximately 3.8m from the dwelling to the northwest, 14.5m from the dwelling from the dwelling to the south and approximately 30m to the nearest property to the rear of the development (No. 25 Great Gardens Road).

6.4.4 In terms of design and visual appearance, Staff are of the opinion that the development would have an acceptable appearance with no harmful impact to the character of the surrounding area. In light of sufficient separation distances between the proposed dwellings and neighbouring dwellings, Staff are of the opinion that the proposal would not appear as a cramped form of development and overall would have an acceptable design and appearance, compliant with the aims and objectives of Policy DC61 of the Local Development Framework and the Residential Design SPD.

6.5 *Impact on Amenity*

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

- 6.5.2 The main consideration in terms of residential amenity relates to the impact on the occupants of the residential dwelling to the northwest and the properties to the rear and south.
- 6.5.3 Staff do not consider the proposal to have an unacceptable impact on the neighbouring amenity of the properties to the northwest. No flank windows are proposed at first floor to this elevation. A condition will be imposed in the event of an approval to have the rooflights obscure glazed and fixed shut unless they are situated 1.7m above finished floor level.
- 6.5.4 Any potential impact as a result of the projection of the two storey proposed building line approximately 2.3m beyond that of the neighbouring property is deemed acceptable in terms of impact on outlook and potential loss of light given the separation distance of approximately 3.8m between the two buildings. The separation distance would also mitigate any potential loss of light to two flank windows in the southern elevation of this property. It should be noted that the ground floor window is a secondary window to the room with an additional window in the rear elevation of the property.
- 6.5.5 The neighbouring properties situated to the rear of the site (along Great Gardens Road) have a separation distance of 30m at its closest point to the subject development and a distance to the boundary of approximately 7m. Staff consider the long gardens of the properties to the rear and a separation distance of approximately 30m to be sufficient not to result in an overbearing development or have an unacceptable impact on neighbouring amenity in terms of overlooking or loss of light. The rear would have velux windows above 1.8m from finished floor level at first floor due to the catslide roof at the rear. Any potential overlooking from windows at ground floor would be mitigated by high boundary fencing.
- 6.5.6 The proposal is not consider having an unacceptable impact on the neighbour to the south as it has a separation distance of approximately 14.5m.
- 6.5.7 Staff acknowledge that there will be some impact on neighbouring amenity as a result of vehicle movement accessing the parking spaces in close proximity to the side elevation of No. 20 Brierley Close. However Staff do not consider this to be unacceptable given that it would be restricted to the side and front of the dwelling.
- 6.5.6 It is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

6.6 *Parking and Highway Issues*

- 6.6.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) for the site is set at 1b meaning that the site is classified as having low access to public transport. Residential development in this location is required to provide car parking provision of 1.5-2 spaces per unit.
- 6.6.2 The proposal can demonstrate a total of 6 no. off-street car parking spaces within the site to cater for the proposed 3 no. residential dwellings. The car parking provision would be in a tandem arrangement with 2 no. spaces situated to the side of dwelling A and 4 no. spaces situated to the side of dwelling C. Although a tandem parking layout is not ideal it has been approved in a number of recent developments within the borough and is considered acceptable. The Highways Authority has not raised an objection to the proposal.
- 6.6.3 A number of objections were received raising concerns in relation to the current parking issues within Brierley Close. The applicant has revised the drawings in order to address the concerns raised. The revised drawings show an extension to an existing dropped kerb which would result in the loss of only 1 street parking space. The existing parking situation would remain the same as the proposed development, access arrangements and parking would be contained within the boundaries of the subject site.
- 6.6.3 It is therefore considered that the proposed car parking arrangements are acceptable and would not result in highway safety or parking issues.

6.7 *Mayoral Community Infrastructure Levy*

- 6.7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 347m² which, at £20 per m², equates to a Mayoral CIL payment of £6,940 (subject to indexation).

6.8 *Infrastructure Impact of Development*

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

be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

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

6.8.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £18,000 for educational purposes would be appropriate.

6.9 *Other*

6.9.1 Bin and cycle storage could be provided to the rear of the dwellings. Conditions will be added in order to assess the bin and cycle storage provisions prior to development.

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 subject to conditions and a legal agreement being completed.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

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

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 2 February 2016, revision received on 15 July 2016 and 14 September 2016.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

6 October 2016

Subject Heading:

P1870.15 - 330 Abbs Cross Lane (adj),
Hornchurch

To build 3 detached houses, landscaping
of site to form new vehicle access, parking
and amenity space. (Received 28/12/15,
revision received 06/09/16)

Ward:

St Andrews

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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Senior Planner
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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

- Havering will be clean and its environment will be cared for []
- 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 2 no. 3-bedroom and 1 no. 4-bedroom detached dwellings with associated vehicular access, landscaping and parking.

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

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

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 333m² and amounts to £6,660.

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:

- The payment of a financial contribution of £50,000 towards highway safety improvements within the vicinity of the site.
- A financial contribution of £18,000 to be used for educational purposes
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. Parking Provision

Before any of the houses hereby permitted are first occupied, the car parking provision shall be laid out to the satisfaction of the Local Planning Authority and be made available for 7 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

4. External Materials

No works shall take place in relation to any of the development hereby approved until details of the external finishing materials are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

5. Landscaping

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

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

6. Refuse and Recycling

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

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

7. Cycle Storage

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

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

8. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the

use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

9. Wheel Washing

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

The submitted scheme will provide the following details:

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

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

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

Development Control Policies Development Plan Document Policies DC32 and DC61.

10. Boundary Screening/Fencing

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

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

11. Noise Impact

Prior to the commencement of the development, an assessment shall be undertaken of the impact of:

- a) railway noise (in accordance with Technical memorandum, "Circulation of Railway Noise", 1995)
- b) Vibration from the use of the railway lines

upon the site. Following this, a scheme dealing with the measures to protect residents from railway noise and vibration is to be submitted to the local planning authority for its approval in writing, once approved the 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.

12. Contaminated Land (1)

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

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

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk

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

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

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

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

13. Contaminated Land (2)

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

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

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

14. 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 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. 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.

16. 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

17. Permitted development rights

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

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

18. Traffic Calming

No development shall take place until such time as traffic calming measures to reduce speeds on Abbs Cross Road between the railway bridge and the junction with Maylands Avenue have been installed.

Reason: 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.

19. Levels

Prior to the commencement of the development details of all proposed changes to existing ground levels of the site, including full details of any material to be imported, exported or redistributed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, amenities of adjoining properties, and appearance of the development. Also in order that the development complies with Policy DC61 of the LDF Development Control Policies Development Plan Document

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were

negotiated with the agent via email at various stages through the application process. The revisions involved a re-assessment of the access arrangements and a contribution towards traffic calming measures. Revised Highways comments were received on 14 July 2016.

3. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £6,660.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
4. 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. 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. Site Description

- 1.1 The application site is located on the western side of Abbs Cross Lane, immediately adjacent to the London Underground District Line and Railway Bridge, at the point at which Southend Road begins. The application site comprises 0.1ha, with the plot itself measuring (at its maximum) 40.6m wide

by 31.6m deep. The site is currently vacant. Levels significantly drop from the carriageway into the site. A fall in levels also occurs from north to south.

- 1.2 The surrounding area is characterised by two storey terraced properties.

2. Description of Proposal

- 2.1 This full planning application seeks planning permission for the erection of 2 no. 3-bedroom and 1 no. 4-bedroom detached dwellings with associated vehicular access, landscaping and parking.

- 2.2 The proposed 3-bedroom dwellings will measure 6.1m in width and 8.9m in depth and will be finished with a hipped roof 7.1m in height. The 4-bedroom dwelling will measure 7.1m in width and 8.4m in depth and will be finished with a hipped roof 8.1m in height.

- 2.3 Amenity space of 134m², 137m² and 160m² will be provided for plot 1, 2 and 3 respectively. Seven parking spaces will be provided of which three will be to the side of the dwellings and the remainder to the front of the site along the railway embankment and Abbs Cross Lane.

- 2.4 Access to the site will be provided via a 5.5m wide vehicular crossing in the northeastern corner of the site.

3. Relevant History

- 3.1 P0669.13 - The erection of one, two storey block of flats providing 4x1 bed and 2x2 bed units – Refused and Dismissed on Appeal

- 3.2 P0046.08 - Proposed new two storey flats. 3 no. 2 bed flats and 3 no. one bed flats - Refused and the Appeal was Withdrawn

- 3.3 P1875.07 - Proposed residential development 9 No. flats with 11 No. parking spaces - Refused

- 3.4 P1723.06 - Outline residential development for 12 No. flats - Withdrawn

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 32 properties and 3 letters of objection were received. The objections raised can be summarised as follows:

- Loss of privacy due to overlooking of rear gardens
- Access is dangerous
- Proposal will cause congestion
- Over-development of the land
- Disruption to the area

- 4.2 The following consultation responses have been received:

- Thames Water - no objection.
- Streetcare - no objection
- London Fire Department - no objection.
- Environmental Health - no objection, recommended conditions in relation to contaminated land and railway noise and vibration.
- Highways – no objection provided that a £50000 contribution is made towards calming measures to bring speeds down to the prevailing 30mph speed limit in order to mitigate the visibility issues at the access.
- TFL - only notified on 18/08/16, no objection or comments received at the time of writing the report. Any comments received would be presented to member on the evening of the Committee meeting.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC32 (The Road Network) DC33 (Car Parking), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, the Sustainable Design and Construction SPD and the Planning Obligation SPD (Technical Appendices)
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.21 (contaminated land), 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), 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the streetscene, the implications for the residential amenity of the future occupants and of nearby houses and flats and the suitability of the proposed parking and access arrangements.
- 6.2 *Background*
- 6.2.1 The current application follows the refusal of an earlier scheme for 6 flats, by the Regulatory Services Committee on 2 October 2014. The proposal was subsequently dismissed on appeal and the Inspector's concerns related to

the lack of sufficient visibility splays, the overdevelopment of the site and the impact on neighbouring amenity.

6.2.2 The current proposal shows a reduction in the amount of units proposed from 6 No. flats to 3 No. detached dwellings. The current application also show an improvement to the visibility splays with the line of sight extending to the top of the bridge (approximately 40m from the position of the vehicle on the access road). The acceptability of these changes are discussed further in the report below.

6.3 *Principle of Development*

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

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

6.4 *Density/Layout*

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

6.4.2 The proposal would provide 3 No. residential dwellings at a density equivalent to approximately 30 dwellings per hectare. Policy DC2 states that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this location. The number of units per hectare is in keeping the recommended range and considered acceptable.

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

6.4.4 The proposal would provide residential units with varying floor space sizes all of which would meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve.

6.4.5 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural

sunlight and shading. Amenity space of approximately 134m², 137m² and 160m² will be provided for plot 1, 2 and 3 respectively.

6.4.6 It is considered that the proposed amenity space would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants the dwellings. All of the proposed dwellings will have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with Policy DC61 and the Residential Design SPD.

6.5 *Design/Impact on Streetscene*

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

6.5.2 The proposal will not have an unacceptable impact on the Abbs Cross streetscene as it would respect the existing building line and height of terraced properties to the north. The proposal is set approximately 9.4m back from Abbs Cross Road at its closest point. The proposed dwellings on plot 2 and plot 3 would be set lower than the prevailing road height, given the existing ground levels and will therefore appear lower and further mitigate any perceived visual impact on the streetscene.

6.5.3 Although the proposed development is considered acceptable in terms of the impact of the dwellings themselves on the streetscene concerns are raised in regard to the amount of hardstanding and parking area proposed to the front of the dwellings, with few areas of landscaping. On balance, Officers consider the proposal to be acceptable subject to a landscaping condition which could provide the opportunity for additional landscaping, however members may decide that the layout will not allow for sufficient landscaping to mitigate the amount of hardstanding proposed and will therefore have a detrimental impact on the streetscene, character of the development and wider area.

6.6 *Impact on Amenity*

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

6.6.2 The main consideration in terms of residential amenity relates to the impact on the occupants of the residential dwellings situated to the north and west of the site. A railway line is situated to the south and Abbs Cross Road to the east.

- 6.6.3 Staff do not consider the proposal to have an unacceptable impact to the neighbouring amenity of the properties to the north. The flank windows proposed at first and ground floor would serve a bathroom and a landing and will be conditioned to be obscure glazed and fixed shut with the exception of the top fanlight for the bathroom. There is 1 non-habitable window located at ground floor in the southern flank of this neighbour and 1 secondary window located in the flank of the single storey rear addition. Given the nature of these windows, Officers do not consider the proposal to have an unacceptable impact on these windows. A separation distance of 1m would remain from the dwelling on Plot 1 to this neighbour boundary and a separation distance of 2.7m to the dwelling.
- 6.6.4 Staff also consider the orientation of this new dwelling in close proximity to the boundary acceptable. Although it would project at 2-storey level beyond the 2-storey rear boundary of this neighbour to the north any impact would be mitigated by a sufficient separation distance (2.7m) between the two dwellings.
- 6.6.5 The neighbouring properties situated to the west have a separation distance of 37m at its closest point and a distance to the boundary of between 9m and 12m at right angles. Staff consider the separation distances to be sufficient not to result in an overbearing development or have an unacceptable impact on neighbouring amenity in terms of overlooking or loss of light.
- 6.6.6 It is considered that the proposed development would not unacceptably harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

6.7 *Environmental Issues*

- 6.7.1 Environmental Health has raised no objection to the proposal; however requests conditions for contamination and an assessment of railway noise and sound insulation to be added in the event of an approval.

6.8 *Parking and Highway Issues*

- 6.8.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) is set at 1-2 meaning that the site is classified as having relatively poor access to public transport. Therefore development in this location is required to provide car parking provision of 1.5-2 spaces per unit.
- 6.8.2 The proposal can provide a total of 7 no. off-street car parking spaces within the site to cater for the proposed 3 no. residential dwellings. The parking provision would result in a ratio of more than 2 parking spaces per unit which exceeds the requirements for this part of the Borough.

- 6.8.3 The application was previously refused by the Regulatory Services committee as it was considered that the access arrangement, proximity to the road bridge and the nature of local traffic conditions, would adversely affect highway safety, both vehicular and for pedestrians using the highway in the vicinity of the site entrance. The Planning Inspector concurred that the lack of sufficient visibility plays will affect highway safety.
- 6.8.4 The current application differs from the previous submission in that the amount of units has been reduced from 6 to 3. The developer has also improved the visibility with clear views to the top of the railway bridge.
- 6.8.5 Staff are of the opinion that the reduction in the amount of units proposed and therefore the potential vehicle movements in combination with the current speed limit of 30mph would be consider sufficient to address any safety concerns. It is acknowledged that the current prevailing speed in the vicinity of the site is in excess of 30mph (on average 39mph northbound), however the developer is prepared to make a contribution of £50,000 towards traffic calming measures in order to bring the speed down to an acceptable limit of 30mph.
- 6.8.6 Although Staff are op the opinion that the application can proceeds on this basis with the support of the Highways Authority, this is a balanced approach and members may decide to attach different weight to the issue of highway safety and may wish to refuse the application on these grounds.
- 6.8.7 Members should also note that any physical traffic calming measures require public consultation and a decision through the Highways Authority Advisory Committee process.

6.9 *Mayoral Community Infrastructure Levy*

- 6.9.1 The proposed development will create 3 no. new residential units with 333m² of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £6,660.00 subject to indexation based on the calculation of £20.00 per square metre.

6.10 *Infrastructure Impact of Development*

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

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

7.10.4 There has been a recent change to the effect of the CIL 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.

7.10.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.

7.10.6 Furthermore, evidence clearly shows a shortage of school places in 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.

7.10.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per dwelling 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.

7.10.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £18,000 per dwelling 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 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or neighbouring properties. The proposal is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any material harmful impact on neighbouring amenity. Amenity space provision is considered sufficient.
- 8.3 Staff are of the opinion that the access arrangements are acceptable, although it is considered that this would be subject to the provision of traffic calming measures, funding for which can be secured through a legal agreement. However, it is acknowledged that Members may reach a different view in this respect. Members may also reach a different view on the lack of landscaping to the front of the dwellings and the potential impact on the streetscene. Overall, Staff consider the development to comply with Policy guidance and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.
- 8.4 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal is acceptable subject to conditions and a legal agreement being completed.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 27 November 2015 and revisions on 06 September 2016.

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REGULATORY SERVICES COMMITTEE

REPORT

Subject Heading:

P0938.16 – Avelon Road Centre

Construction of single storey flat roof extension, formation of additional hard-surfacing to provide vehicle parking and other ancillary development including 2.0m powder coated twin wire boundary fence.

(Revised plans received 02-09-2016)
(Application received 6 June 2016).

Ward

South Hornchurch

Lead Officer

Helen Oakerbee
Planning Manager

Report Author and contact details:

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Planner
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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 Local Authority are in receipt of an application which seeks permission for the erection of an infill extension on the south eastern side of the application building, an additional 79m² of floor space for uses ancillary to the main building.

Additional areas of hard-surfacing are proposed to provide 6 additional parking spaces (five standard size, one disabled) to the south east corner of the host building in addition to other ancillary development including 2.0m height powder coated twin wire boundary fencing.

Five additional members of staff are proposed.

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

RECOMMENDATIONS

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. Non-standard Condition

Prior to the commencement of any ground-works or development of the site, details shall be submitted to and agreed in writing by the Local Planning Authority setting out suitable gas protection measures to be employed on site including but not necessarily limited to, the installation of a suitable gas resistant membrane. The gas protection measures shall be carried out in strict accordance with the agreed detail. Upon completion of installation a 'Verification Report' must be submitted demonstrating that the works have been carried out.

Reason: Insufficient information has been submitted 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.

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

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 email August 8th 2016. The revisions involved the inclusion of parking layout/boundary treatment to the proposal. These revisions were provided 02-09-2016.

REPORT DETAIL

1.0 Site Description

- 1.1 The application relates to the Avelon Road Centre, which is a day service for adults with learning disabilities. The centre caters for persons of 18 years and upwards and offers wide variety of activities within its service including – drama, life skills, local history, numeracy, literacy and sports.
- 1.2 The application building takes the form of two, attached, “L” shaped buildings sited centrally within a spacious and verdant plot. The application site is within an area that is designated as Green Belt Land.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the construction of a single storey flat roofed extension to the main building.

2.2 Additional areas of hard-surfacing are also proposed, to provide six additional parking spaces (five standard size, one disabled) and areas for the manoeuvring of vehicles on site, 38m² in total.

3. History

4.1 None relevant

5. Consultation/Representations

5.1 In accordance with recognised procedure, notification letters were sent to fifty-one neighbouring properties. Three letters of representation were received which will be summarised below:

- Increased traffic
- Highway safety
- Increased noise
- Unsuitability of access roads

5.2 Environmental Health - No objection to the proposals, requested condition.

5.3 Highway Authority - No objection.

6. Relevant Policy

6.1 Policies CP17, DC26, DC27, DC28, DC29, DC32, DC33, DC45, DC48, DC51, DC57, DC59, DC60, DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant.

6.2 Also relevant are Policies 3.18 and 7.16 and the National Planning Policy Framework (NPPF)

7. Staff Comments

7.1 The issues in this case are the principle of the development, the impact on the open character of the Green Belt, the impact of the development in the street scene, impact on the amenities of nearby residential occupiers and highways/parking.

7.2 The subject application is brought to the Regulatory Services Committee as the Local Authority is the applicant and objections to the proposals have been received.

8. Principle of Development

- 8.1 Policy DC45 indicates that the extension of buildings other than dwellings or buildings that are associated with acceptable Green Belt uses is inappropriate development.
- 8.2 The NPPF adopted by Central Government in March 2012 states that “the extension or alteration of a building” is acceptable “provided that it does not result in disproportionate additions over and above the size of the original building”.
- 8.3 Whilst Policy DC45 remains extant, it is considered that the guidance contained within the NPPF takes precedent. To this end, it is the opinion of staff that the proposals would not represent disproportionate additions “over and above” the size of the host building.

9. Green Belt Implications

- 9.1 As indicated above, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 9.2 To this end, it is considered that the addition of a single storey extension to the main building of the scale proposed would be proportionate to the host building and would not detract from the openness of the Green Belt.
- 9.3 Likewise, the increased levels of hard-surfacing on site would be limited to areas associated with the main building and would not appear excessive within the context of what is a predominantly verdant plot.
- 9.4 The boundary treatment proposed would enclose an area to the south east corner of the site. The type of fencing proposed is of the visual appearance of fencing typically associated with outdoor playing fields. Consequently it would represent a less obtrusive form of enclosure, than a solid close boarded fence or wall. It is not judged to be unduly harmful to the openness of the Green Belt.

10 Design/Impact on Street-scene

- 10.1 The application site is framed by mature vegetation to the northern boundary which would ensure that the development proposed would be screened from the view of nearby residential premises. In addition when viewed from the highway, much of the proposal would not be readily visible owing to a separation in excess of 100m from the back

edge of the highway and the siting of the proposals, the bulk of which would be subsumed by the built form of the Avelon Road Centre.

- 10.2 The proposed extension, areas of hard surfacing and proposed boundary treatment would appear proportionate and would not appear incongruous visually in the context of the existing building.

11 Impact on Amenity

- 11.1 Due to the detached nature of the host building and the location of the proposed development, there are no implications related to neighbouring amenity.

- 11.2 The proposed extension represents a relatively minor addition to the existing use of the building and it is not considered that this would generate further traffic such that the proposal would not have a material impact in terms of noise and disturbance.

12. Highway/Parking

- 12.1 The proposal seeks to increase the number of car parking spaces on site by 6 (five standard spaces, one disabled space) to the south eastern corner of the site.

- 12.2 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 Conclusion

- 13.1 Having had regard to the above, and in doing so all relevant planning policy and other material considerations, subject to the conditions above, it is recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

None.

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 06-06-2016.

REGULATORY SERVICES COMMITTEE

6 October 2016

REPORT

Subject Heading:

P0384.16 - Pinewoods Public House, St. Johns Road, Romford

Demolition of existing building and erection of a part 2/part 3 storey building to provide 16 no. apartments and 8 no. 2 storey houses together with associated landscaping including 36 no. car parking spaces. (Received 14/03/16)

Ward:

Havering Park

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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Senior Planner
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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The proposal is for the demolition of the existing public house and the erection of a part2/part3 storey building to provide 16 no. apartments and the construction of 8 no. 2-storey houses together with associated landscaping and 36 no. car parking spaces.

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, the suitability of the parking arrangements and the potential impact on the Green Belt and impact on Great Crested Newts.

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

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 1811m² and amounts to £36,220.

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 £46,881 towards affordable housing.
- A financial contribution of £144,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of

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

- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. Parking Provision

Before any of the flats hereby permitted are first occupied, the car parking provision shall be laid out to the satisfaction of the Local Planning Authority and be made available for 36 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

4. Car Parking Management Strategy

The development hereby permitted shall not be occupied until details to show the car parking management strategy 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 prior to the first occupation of any dwelling. 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.

5. External Materials

No works (excluding demolition and site preparation) shall take place in relation to any of the development hereby approved until samples of the external finishing materials are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

6. Refuse and Recycling

The flats hereby permitted shall not be occupied until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

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

7. Cycle Storage

The flats hereby permitted shall not be occupied until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this

detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

8. Hours of Construction

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

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

9. Construction Methodology

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

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

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

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

10. Accessible and Adaptable Dwellings

At least 3 of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

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

11. 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

12. 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.

13. Noise Insulation (Flats)

The flats shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum values) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

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

14. Noise Insulation (Dwellings)

The terraced dwellings shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum values) against airborne noise to the satisfaction of the Local Planning Authority.

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

15. Boundary Screening/Fencing

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

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

16. Great Crested Newts

The development hereby permitted shall not be carried out otherwise than in complete accordance with the Method Statement with regard to Great Crested Newts (version 2 received 03/08/16) in order to mitigate any potential impact on in the event of the discovery of Great Crested Newts on site.

Reason: To ensure the development is carried out in an appropriate manner and in the interests of preserving the character and appearance of the area and landscape features therein and to protect local nature conservation and geological interests and to accord with Policy DC58 of the Local Development Framework.

17. External Lighting Scheme

No building shall be occupied or use commenced until external lighting (including along the access drive) 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.

18. Landscaping

No works (excluding demolition and site preparation) 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.

19. Permitted development rights

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

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

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent via email at various stages through the application process. The revisions involved an increase to the affordable housing contribution. The amendments were subsequently submitted on 29 June 2016.
3. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £36,220.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
4. 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. 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. Site Description

- 1.1 The application relates to the Pinewoods Public House and is located on the corner of Clockhouse Lane and St. Johns Road. The Pinewoods Public House has previously occupied the site with associated parking and outdoor 'beer garden'. The building is presently empty, is set back from the junction and forms an L-shaped plan.
- 1.2 The site area is 0.39 hectares. Part of the site falls within the Green Belt. The site is surrounded by Havering Country Park to the north and east, two storey semi-detached residential units to the south and 3-storey residential block of flats to the west.
- 1.3 The application site slopes from east to west at a steeper gradient than the pavement as a result the existing public house is set approximately 1.2m below pavement level.
- 1.4. A small part of the application site is situated in Green Belt, however no development is planned for any part situated in the Green Belt.

2. Description of Proposal

- 2.1 The application is for the demolition of the existing Public House and the construction of 2 no. three storey apartment blocks fronting St. Johns Road with roof accommodation comprising 16 no. self-contained apartments and a row of 8 no. 2-storey terrace properties towards the rear of the site.
- 2.2 The flat accommodation will consist of 1 no. 1-bed, 15 no. 2-bed units. The terraced houses will consist of 2 no. 3-bed units and 6 no. 4-bed units.
- 2.3 Parking provision for 36 no vehicles will be provided to the rear of the apartment blocks and to the front of the terrace dwellings. Provision will also be made for a cycle store area with a capacity of storing 16 no. cycles to the rear of the block of flats. Cycle storage to the terraced dwellings will be provided within sheds located in the rear gardens.
- 2.4 A turning head is provided within the site to accommodate the turning of refuse and delivery vehicles.
- 2.5 Two refuse stores are indicated serving the flat block. Refuse storage for the terrace dwellings will be provided in demarcated areas to the front of these dwellings.

2.6 Amenity space in the form of balconies would be provided to the proposed flats fronting St. Johns Road. The proposed terrace dwellings will have amenity space to the rear of approximately 45m² per dwelling.

3. Relevant History

3.1 P1241.15 - Demolition of the existing building, Erection of three storey apartment blocks with room accommodation comprising 32 no. self-contained apartments, layout 32 parking spaces and associated landscaping and amenity space - Refused

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 83 properties and 2 letters of comments and 21 letters of objection were received. A site notice was also displayed. The objections can be summarised as follows:

- loss of outlook
- proposal will be in breach of a covenant which exists on site
- increase traffic problems in front of the entrance to the infant/junior school
- will have an impact on Great Crested Newts in the pond to the rear of the site
- new development will not provide sufficient on-site parking
- will put additional strain on the existing doctor surgeries
- loss of privacy
- loss of a community asset
- scale of the building will spoil views and will not be in keeping
- overdevelopment
- too close to the Green Belt

4.2 The following consultation responses have been received:

- Thames Water - no objection.
- London Fire Brigade - no objection.
- Environment Agency - no objection
- Designing Out Crime Officer - no objection, recommends conditions relating to the development achieving Secured by Design principles, landscaping, boundary treatment and cycle storage in the event of an approval.

- Environmental Health - no objection, recommended conditions in relation to contaminated land and sound insulation.

- Highways have no object to the proposal subject to a condition for vehicle cleansing

- The flood and rivers management officer did not raise an objection to the proposal.

- The Regeneration Officer has raised concerns regarding the potential impact on the habitat of the Great Crested Newts in the pond to the north of the application site and has suggested surveys to be undertaken to confirm the presence of Great Crested Newts.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), DC27 (Provision of Community Facilities), DC32 (The Road Network) DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC58 (Biodiversity and Geodiversity), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, the Sustainable Design and Construction SPD, Protecting & Enhancing the Borough's Biodiversity SPD and the Planning Obligation SPD (Technical Appendices)
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.13 (sustainable drainage), 5.16 (waste self-sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.13 (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 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

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

Consideration should also been given the potential presence of Great Crested Newt in a pond to the north of the subject site.

6.2 *Background*

A previous application under P1241.15 for the development of 32 flat was refused planning permission under delegated authority due to the lack of sufficient parking provision. The current application has addressed the shortfall of parking spaces by reducing the amount of units proposed from 32 to 24. The current application has also reduced the overall bulk and prominence of the previously proposal by reducing the number of flatted blocks from 3 to 2 and by introducing 2-storey terrace houses to the rear of the development.

6.3 *Principle of Development*

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

6.3.2 The proposal is for the redevelopment of a commercial site. Part of the site is designated as Green Belt, however the development would be restricted to part that is not situated in the Green Belt. The development site is therefore not in the Green Belt, an employment area, or within Romford town centre in the Development Plan.

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

6.4 *Green Belt Implications*

6.4.1 Although part of the site is situated in the Green Belt, no development is proposed for the area that falls within the Green Belt. Officers recognise that the development would be more visible when viewed from the Green Belt than what is currently present on site, however it is considered that the proposal does not present a wall of development that would have an adverse impact on the openness of the Green Belt.

6.5 *Density/Layout*

6.5.1 The Council's Residential Design SPD in respect of amenity space 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.

- 6.5.2 A formal play space is provided to the rear of the flats. Amenity space is also provided to the rear of each of the proposed terraced dwellings. The ground floor flats would also have amenity space and patio areas to the front of the buildings. Balconies are provided to the front of the building for the 1st floor and 2nd floor flats. Staff do not consider the amenity space to be unacceptable given the site constraints and the close proximity of the development to a large open grass area which forms part of the application site but is situated within the Green Belt, as well as the close proximity to the Havering Country Park.
- 6.5.3 The residential density range for this site is 30 - 50 units per hectare and 150-200 rooms per hectare (PTAL 1-2). The proposal would result in a density of approximately 61 units per hectare. Although the units per hectare are in excess of the recommended range consideration should be given to the site constraints and the proposal partly being for flatted development.
- 6.5.4 In terms of site layout, the proposed development would have a larger footprint than the existing Public House, however staff do not consider the proposal to result in an overdevelopment give that the residential built form would cover less than 50% of the site. The proposed buildings are well set back from St Johns Road and Clockhouse Lane and there is sufficient spacing between the building blocks. Staff therefore consider the development to be acceptable in term of layout and would not be an overdevelopment of the site.
- 6.5.5 The proposal would provide residential units with varying floor space sizes all of which would meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve.

6.6 *Design/Impact on Streetscene*

- 6.6.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.6.2 The main impact in terms of the streetscene along St Johns Road and Firbank Road relates to the character and appearance of the proposed 2 blocks in comparison to the existing 3-storey pitched roof flatted buildings along Firbank Road to the west of the subject site.
- 6.6.3 The proposal would be a significant change in overall scale and bulk from the existing two storey commercial building on site, however the proposal has been carefully considered to reduce any perceived mass or impact by means of designing the flatted accommodation within 2 apartment blocks, each reading as a 'villa' aesthetically. The 2 blocks read as independent roofs thus allowing clear identification of the individual blocks and views

between. The two blocks off are linked at ground and first floor by 1 bedroom apartments.

- 6.6.4 The proposed development is not considered to have an overbearing impact on the streetscene as it will relate satisfactorily to the existing 3 storey flatted development which is located to the west of the subject site.

The proposed bulk and mass of the development would also be mitigated by utilising the natural slope of the landscape to the southern boundary of the site from St. Johns Road and setting floor levels below pavement level. This will result in the 2-storey houses opposite St. Johns Road having a floor level on average 1.85m above pavement level which will result in similar eaves heights between these dwellings and the proposed buildings.

- 6.6.5 The buildings have further been designed as a series of blocks to allow the building to step in and out to provide articulation. The scale, bulk, height and massing of both blocks would create prominent features in the streetscene. However, this impact is not considered to be unduly harmful as previously discussed.

- 6.6.6 The proposed terraced dwelling is set towards the rear of the site and consists of 2-storeys with roof accommodation. These properties are situated at a much lower level than the properties along St. Johns Road and are not considered to have a harmful impact on the streetscene.

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

6.7 *Impact on Amenity*

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

- 6.7.2 The proposed development is not considered to result in an unacceptable impact on neighbouring amenity. No residential development is situated to the east of the site. To the north the nearest residential property is situated approximately 110m away, to the south the nearest residential property is situated across from St Johns Road with a separation distance of approximately 26m. These properties are also situated at a higher level than the subject site. To the west of the application site there is a separation distance of approximately 28m between the subject building and this residential block of flats.

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

6.8 *Parking and Highway Issues*

6.8.1 Car parking is proposed across the development at a rate of 1.5 spaces per unit. The site has a PTAL of 2, where the London Plan Parking Standard states that a maximum of up to 1.5 spaces per unit should be provided. A parking management scheme is recommended, to be secured by condition. The proposal therefore complies with the policy guidance.

6.8.2 The Highways Authority has raised no objection to the proposal subject to a condition for vehicle cleansing.

6.8.3 Two cycle stores are indicated providing 16 spaces for the apartments – 100% provision. Each terrace house will have a storage shed capable of storing 2 cycles - 200% provision. A condition will be added requesting details to be submitted prior to commencement of development in the event of an approval.

6.9 *Affordable Housing*

6.9.1 In terms of affordable housing the aim is to achieve 50% across the borough in accordance with LDF policies CP2 and DC6. The requirement on site would therefore be 12 units. LDF Policy DC6 seeks the maximum reasonable amount of contribution taking account of viability amongst a range of factors. This is supported by Policy 3.12 of the London Plan which states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual schemes; however, negotiations should also take into account individual site circumstances, including viability.

6.9.2 The applicant has submitted a viability appraisal with the application that seeks to demonstrate that the development would not be able to support any affordable housing. The valuation has been independently appraised and that appraisal did not agree with the proposed nil contribution. After the submission of additional information and verifying of building costs it was concluded that the proposal would be able to support an affordable housing contribution of £46,881. This is to be secured through a legal agreement.

6.10 *Mayoral Community Infrastructure Levy*

6.10.1 The proposed development will create 20 no. new residential units with 995m² square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £19,900 subject to indexation based on the calculation of £20.00 per square metre.

6.11 *Infrastructure Impact of Development*

- 6.11.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 6.11.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.11.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.11.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.11.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.11.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.

6.11.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per dwelling 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.

6.11.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £144,000 for educational purposes would be appropriate.

6.12 Other

6.12.1 Anecdotal records suggest that there are Great Crested Newts present in a pond approximately 15m to the north of the application site. The Regeneration Officer has raised concerns regarding the potential impact on the habitat of the Great Crested Newts and has suggested surveys to be undertaken to confirm the presence of Great Crested Newts.

6.12.2 It would however not be practical to undertake surveys at present as the appropriate time would be from March to June with at least 2 surveys to be conducted between April and mid-May. The application has therefore gone with the worst case scenario by preparing a Method Statement on the assumption that there are Great Crested Newts present on the site.

6.12.3 Staff considers this approach to be acceptable in order to determine the presence of Great Crested Newts in the vicinity and to put the correct measures in place to minimise any potential impact on this protected species. A condition has been attached to ensure that the Method Statement is implemented.

7. Conclusion

7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal is acceptable subject to conditions and a legal agreement being completed.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including accessible and adaptable units and wheelchair adaptable.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 14 March 2016.

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REGULATORY SERVICES COMMITTEE

REPORT

6 October 2016

Subject Heading:

P1215.16 – 14 Beverley Gardens and land rear of 12, 16 and 18 Beverley Gardens - Construction of 4 No. x 3 bedroom semi-detached bungalows with off street parking, electronic gates, a brick wall and a double garage (received 26/07/16 and revised plans received on 1/09/16 & 15/09/16).

Ward

Emerson Park

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

This proposal seeks consent for the construction of four, three bedroom semi-detached bungalows with off street parking, electronic gates, a brick wall and a double garage. In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. A Section 106 Legal Agreement is required to secure a financial contribution. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

RECOMMENDATIONS

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

- A financial contribution of £18,000 to be paid prior to the commencement of the development, to be used for educational purposes in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the planning obligation prior to its completion irrespective of whether the obligation is completed.
- The payment of the appropriate planning obligations monitoring fee prior to the completion of the obligation.

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

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

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

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

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

3. 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

4. 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.

5. Refuse – Prior to the first occupation of the dwellings hereby permitted, the proposed bin store shown on drawing No.'s 1459/01 Revision A and 1459/04 Revision A shall be provided to the satisfaction of the Local Planning Authority.

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

6. Parking provision - Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

7. Hours of construction - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding;

the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

8. 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.

9. Highway agreement - No development shall commence until the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway has been entered into.

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

10. Vehicle Cleansing - Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter 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: 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.

11. Removal of permitted development rights – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no roof extensions, under Class B shall be made to the dwellinghouse(s) hereby permitted, without the planning permission 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.

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

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

13. External lighting - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

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.

14. Surfacing materials – Notwithstanding the details shown on the approved plans, details of a permeable or suitable drained surface for the access road shall be submitted to and approved and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent uses of the access road for anything but access.

Reason: It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

15. 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.

16. 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.

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

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

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

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to

commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason: To provide satisfactory off-street parking at the site, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

20. Obscure glazing - The proposed en-suite windows on the flank wall of the proposed dwellings hereby approved in plots 1- 4 as shown on Drawing No.'s 1459/01 Revision A, 1459/02 Revision A and 1459/03 Revision A 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.

21. 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 their protection in the course of development. No development other than the access shall take place until the approved tree and shrub protection measures have been implemented. All development other than the access shall only be carried out in accordance with the approved tree and shrub protection until completion. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding season following completion of the development or in accordance with a programme approved in writing by the Local Planning Authority. Any tree or plant which within a period of 5 years from completion of the development dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with another tree or plant of the same species and size as that originally planted, 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.

22. Tree protection measures – A scheme for the protection of preserved trees on the site shall be implemented in accordance with the 'Arboricultural Implications Assessment and Arboricultural Method Statement' dated December 2012 and

Drawing No. JBA 10/136 TS01 Revision B and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

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 Gary Cumberland via the telephone on 24th August 2016. The revisions involved altering the position, footprint and height of the dwellings. The amendments were subsequently submitted on 1st September 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 £7,600. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.
3. 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. 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.
5. 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.
6. 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.

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

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

8. 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 application site measures approximately 0.24 hectares in area and comprises of land to the rear of 12, 16 and 18 Beverley Gardens. No. 14 Beverley Gardens has been demolished and the site has been cleared. There are three Tree Preservation Orders on the site (references TPO 8/96, TPO 20/04 and TPO 21/04). The application dwelling approved under planning application P1420.15 is currently under construction. The application site lies within Sector 5 of the Emerson Park Policy Area. Beverley Gardens, from where the site will be accessed, is characterised by detached or semi-detached bungalows, some with rooms in the roof. Curtis Road, to the east of the site, comprises of bungalows, chalet bungalows and two storey houses. Channing Close, to the north of the application site, is characterised by two storey detached housing in a cul-de-sac arrangement. Beverley Close includes chalet bungalows in a cul-de-sac arrangement.

2. **Description of development:**

2.1 The application is for the construction of 4 No. x 3 bedroom semi-detached bungalows with off street parking, electronic gates, a brick wall and a double garage

2.2 Each pair of single storey, semi-detached dwellings would have a combined width of approximately 13.8 metres and a depth of between 11.8 and 16.5 metres. Plots 1 and 4 are located to the south and north of the site respectively. The flank wall of the dwelling in Plot 4 would be located between

approximately 4.7 and 3.3 metres from the northern boundary of the site (from front to rear). The flank wall of the dwelling in Plot 1 would be located between approximately 1 metre and 4.6 metres from the southern boundary of the site (from front to rear). The dwellings would have a height of approximately 2.5 metres to the eaves and 4.5 metres to the ridge of the crown roof. The proposal includes a double garage adjacent to the northern and eastern boundaries of the site.

3. **Relevant History:**

3.1 There is an extensive planning history for this site.

Q0139.16 – Discharge of conditions 3, 4, 5, 6, 7, 11, 12, 13, 15 and 16 of P1420.15 – Not yet determined.

P1420.15 - The demolition of number 14 Beverley Gardens the formation of a new access road and footpath and the erection of a three bedroom bungalow with two associated car parking spaces – Approved.

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

P0675.14 – The demolition of number 14 Beverley Gardens, the formation of a new access road and footpath, and the erection of 2 dwellings consisting of 2 x 3 bedroom bungalows, one with a detached double garage and one with an integral double garage – Allowed on appeal following non-determination.

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

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

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

P1290.06 - Erection of 5 no. 4 bed detached dwelling with garages - Refused and dismissed on appeal.

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

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

4. Consultations/Representations:

- 4.1 The occupiers of 34 neighbouring properties were notified of this proposal. At the time of writing this report, the consultation period in respect of revised plans had yet to finish and ten letters of objection were received with detailed comments that have been summarised as follows. Members will be verbally updated during the committee meeting of any further representations received.
- The plot is unsuitable for the proposed development.
 - Previous planning applications have been refused.
 - No objection to approved planning application P1420.15.
 - Dust.
 - Queried the implementation of P1420.15.
 - The plot is an eyesore.
 - Parking.
 - Reference was made to the previous refusal for three dwellings on the site.
 - Glare from vehicle headlights.
 - Queried if the position and floor space of the bungalows is the same as the previous approval to build two bungalows.
 - Impact on neighbouring amenity and quality of life.
 - Impact on the character and appearance of the area.
 - Loss of privacy and overlooking.
 - The living space is disproportionate for a family occupying a three bedroom property.
 - The proposal is a cramped overdevelopment of the site.
 - Concerns regarding future planning applications to utilise the loft space of the dwellings and requested a condition that prohibits this.
 - Space for outbuildings in the rear gardens of the dwellings.
 - Loss of trees.
 - Loss of light and outlook.
 - Impact on wildlife.
 - The layout and density of the proposed properties is inconsistent with the surrounding area.
 - The garden for each property is insufficient and considerably smaller than neighbouring properties.
 - Impact on infrastructure.
 - The proposal would not provide low budget affordable housing.
 - Light pollution.
 - Reference was made to the parking spaces adjacent to the access road.
 - The position of the dwellings sited further forward in the site and closer to neighbouring properties.
 - The plans show considerably more trees than there actually are. Appropriate tree screening should be provided.
 - Position and visual impact of the garage.
 - There are no details of street lighting or fencing.
 - Scale of the proposed development.
 - Objects to the proposed semi-detached dwellings. The proposal should comprise of detached properties.
 - Security.
 - Smells.
 - Noise and disturbance.

- Traffic and congestion.
- Highway and pedestrian safety.
- Impact on trees including those with TPOs.

- 4.2 In response to the above, each planning application is determined on its individual planning merits. Planning application P1420.15 for the demolition of No. 14 Beverley Gardens, the formation of a new access road and footpath and the erection of a three bedroom bungalow with two associated car parking spaces was granted in February 2016 and is in the process of being implemented. Whilst there is planning policy regarding internal space standards for new dwellings, this does not specify a minimum size of a living space for a dwelling. Details of fencing, external lighting and tree protection measures can be controlled by condition if minded to grant planning permission. The remaining issues are addressed in the following sections of this report.
- 4.3 The Council's Highways Authority has no objection to the proposal subject to conditions regarding a pedestrian visibility splay, vehicle access and vehicle cleansing. For the pedestrian visibility splay, the left hand side of the proposed access will need adjustment to provide 2.1m by 2.1m. It is considered that the vehicle access to the site will need to be adjusted too.
- 4.4 Environmental Health – No objections.
- 4.5 StreetCare Department – Has no objection to the refuse arrangements. The bin store is in a good position. A large communal bin rather than small individual bins is necessary. Three copies of any keys or fobs needed to access the bins will need to be provided.
- 4.6 Fire Brigade – No additional fire hydrants are required. Access to the three rear bungalows does not comply with Section 11 of volume 1 of Approved Document B of the Building Regulations 2010, as the distance from where a pump appliance can approach after driving into the site the maximum of 20m is still in excess of 45m to all points within each dwelling. It is recommended that domestic sprinklers be provided throughout these dwellings in lieu. The systems should be designed, installed and maintained in compliance with BS9251:2014 or BS EN 12845. A FB override facility will also be required for the electronic gates.
- 4.7 Essex & Suffolk Water – Records show that their apparatus does not appear to be affected by the proposed development. No objection to this development subject to compliance with their requirements. Consent is given to the development on the condition that new water mains are laid in the highway of the site, and a metered water connection is made onto their company network to supply each dwelling for revenue purposes.

5. **Relevant policies:**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC11 (Non-designated sites), DC29 (Educational premises), DC32 (The road

network), DC33 (Car Parking), DC34 (Walking), DC36 (Servicing), DC40 (Waste recycling), DC55 (Noise), DC60 (Trees), DC61 (Urban Design), DC62 (Access), and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Planning Obligations Supplementary Planning Document (technical appendices) and the Protection of Trees during Development Supplementary Planning Document.

- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 5.15 (water use and supplies), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.4 (local character), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The DCLG Technical Housing Standards document is relevant.
- 5.3 Policies 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

6. **Staff Comments**

- 6.1 Planning permission was allowed on appeal, reference P0675.14, for the demolition of number 14 Beverley Gardens, the formation of a new access road and footpath, and the erection of 2 dwellings consisting of 2 x 3 bedroom bungalows, one with a detached double garage and one with an integral double garage at 14 Beverley Gardens and land rear of 12 and 16 Beverley Gardens. The appeal decision referred to the fact that the Council had confirmed that in their view, the appeal development would preserve the character and appearance of the area and living conditions of nearby residents. In view of the modest size of the proposed dwellings, their positions on the plots, and conclusions of the previous Inspector for P1565.12, the Inspector agreed with the Council's assessment on these matters. The main issue for the appeal decision for P0675.14 was whether the proposal made adequate provision for infrastructure, services and facilities arising from the development, which is addressed in Section 12 of this report. The appeal decision for P0675.14 is a material consideration in the determination of this application.
- 6.2 The main differences between planning application P0675.14 that was allowed on appeal and the plans for this proposal is as follows:
- Two detached dwellings have been replaced with four semi-detached dwellings with a revised site layout.
 - The two detached dwellings for P0675.14 had a combined footprint of approximately 354 square metres. The proposed dwellings in plots 1-4 for this application have a combined footprint of 412 square metres, with less landscaping and additional parking.
 - P0675.14 featured a footpath adjacent to the access road, which has been replaced with a tarmacked entrance road for the proposal. The width of the footpath and access road for P0675.14 had a combined width of between approximately 6 and 9 metres. For this proposal, the tarmacked access

road/hardstanding area adjacent to the parking spaces for plot 1 has a width of between approximately 8 and 13 metres.

- The land to the west of No. 12 Beverley Gardens no longer forms part of the application site.

- For P0675.14, the land to the rear of No.'s 8, 10 and 12 Beverley Gardens was originally a landscaped area. This parcel of land no longer forms part of the application site for this application and now contains a single storey detached dwelling (currently under construction) that was approved under P1420.15.

6.3 Revised plans were received from the agent on 1st and 15th September, which included the following changes:

- The separation distance between the dwellings has reduced from between 3.1 and 4.3m to 2 metres.

- The dwellings have the same ridge height and roof angle as P0675.14.

- The dwelling in plot 4 has the same separation distance from the northern boundary of the site.

7. Principle of development

7.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with the National Planning Policy Framework. In addition, the principle of development was deemed to be acceptable for the planning application, P0675.14.

8. Density and site layout

8.1 The site is not included within the Borough's Public Transport Accessibility Zones (as defined by Policy DC2 of the LDF Development Control Policies Development Plan Document), therefore it does not have a prescribed density range, because of the need to ensure that its established character of large and varied dwellings set in spacious, mature, well-landscaped grounds, is retained. The application site comprises an area of 0.24 hectares and the proposal would produce a density of 16 dwellings per hectare, which indicates a fairly low density compared to what may be acceptable elsewhere in the Borough.

8.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 86m² for a 3-bed 5-person dwelling. The proposed dwellings have individual internal floor space of 92m² which is in line with the recommended guidance and considered acceptable. The layout of all the dwellings adheres to the Technical Housing Standards.

8.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design places emphasis on new developments providing well designed quality spaces that are usable. In terms of amenity space provision,

the dwellings would have a minimum and maximum private amenity space of between 120 and 285 square metres. Staff are of the view that the proposed rear 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.

9. Design/impact on street/Garden scene

- 9.1 The appeal decision for P0675.14 referred to the fact that the Council had confirmed that in their view, the appeal development would preserve the character and appearance of the area. In view of the modest size of the proposed dwellings, their positions on the plots, and conclusions of the previous Inspector for P1565.12, the Inspector agreed with the Council's assessment on these matters.
- 9.2 It is noted that the proposed dwellings would be located in a similar position in the plot to the dwellings allowed on appeal under P0675.14 and would be located towards the rear of the site. The dwellings are single storey and following negotiations with the agent, the ridge height and roof angle of the proposed dwellings would be the same as those previously approved under P0675.14. Staff consider that the brick wall and electric entrance gates would integrate satisfactorily with the streetscene.
- 9.3 Staff have considered the differences between planning application P0675.14 and the current proposal. There is significantly less landscaping within the site, including along the access road and partly due to the provision of additional car parking. There are some concerns that the proposed development would look more dominated by hardstanding and parking, with less soft landscaping, which is a matter of judgement for Members.

10. Impact on amenity

- 10.1 The Inspector for P0675.14 concluded that the appeal scheme, due to the separation distances between the existing and proposed dwellings, would not unduly harm the living conditions of nearby residents in respect of privacy, outlook, sunlight and daylight. Moreover, the potentially modest number of vehicle movements associated with the proposed development would not be likely to cause unacceptable noise and disturbance to neighbouring occupiers either in their homes or gardens.
- 10.2 Given the separation distances between neighbouring properties and the proposed dwellings, Staff consider that the proposed development would not result in a significant loss of amenity to adjacent occupiers. The dwellings are single storey and the hipped roofs of the dwellings minimise their bulk. Following negotiations with the agent, the ridge height and roof angle of the proposed dwellings would be the same as those previously approved under P0675.14. The garage is located in the same position as that previously approved under P0675.14.
- 10.3 The Inspector for P0675.14 advised that as there is only a slight change in levels between the front and rear of the site, it is neither reasonable nor

necessary to require details of existing and proposed levels to be controlled. The appeal decision for P0675.14 stated that although the appellant has suggested that permitted development rights could be removed, no exceptional circumstances have been advanced to demonstrate that this is necessary. However, as upper floor windows could have potential to overlook neighbouring properties, it is recommended that permitted development rights for extensions, additions and alterations to the roof of the proposed dwellings under Class B of the General Permitted Development Order 2015 be removed by condition, in order to safeguard the amenities of neighbouring occupiers.

- 10.4 The en-suite flank windows of the proposed dwellings would be obscure glazed, secured by condition, to protect neighbouring amenity. Details of landscaping and boundary treatment will be secured by condition.
- 10.5 It is noted that the two car parking spaces for plot 1 are located parallel with the rear garden of No. 16 Beverley Gardens and the access road, which given their separation distance from the dwelling in plot 1, will be a buyer beware issue for future occupiers, although this is not deemed to be sufficient grounds for refusal.

11. **Highway/parking issues**

- 11.1 The Inspector for P0675.14 considered that it is both unnecessary and unreasonable to impose a condition regarding domestic sprinklers. The Fire Brigade has advised that domestic sprinklers are required, although this is not a material planning consideration and is a building control matter.
- 11.2 In total 8 parking spaces are proposed for the 4 dwellings. Plot 1 has two car parking spaces that are parallel with the access road. There are two car parking spaces each on hardstanding to the front of the dwellings in Plots 2 and 3. There is an area of hardstanding to the front of plot 4, as well as a double garage. The use of the garage for private motor vehicles has been secured by condition. Staff consider the amount and configuration of the parking proposals to be acceptable. The Council's Highways Authority has no objection to the proposal subject to conditions regarding a pedestrian visibility splay, vehicle access and vehicle cleansing. For the pedestrian visibility splay, the left hand side of the proposed access will need adjustment to provide 2.1m by 2.1m. It is considered that the vehicle access to the site will need to be adjusted too in terms of the provision of a dropped kerb, which would be secured by condition.
- 11.3 Provision has been made for refuse storage and provision/retention would be secured by condition. The StreetCare Department has no objection to the refuse arrangements.

12. **Trees**

- 12.1 There are three Tree Preservation Orders on the site (references TPO 8/96, TPO 20/04 and TPO 21/04). An Arboricultural Implications Assessment and Arboricultural Method Statement have been submitted. A condition has been placed stating that the scheme for the protection of preserved trees on the site

shall be implemented in accordance with the 'Arboricultural Implications Assessment and Arboricultural Method Statement' dated December 2012 and Drawing No. JBA 10/136 TS01 Revision B and kept in place until the approved development is completed.

13. Ecology

- 13.1 The appeal decision for P0675.14 stated that the appellant's ecological survey concluded that the site is of low ecological value.

14. Infrastructure

- 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 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.

- 14.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly shows 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 £6,000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6,000 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. As No. 14 Beverley Gardens has been demolished, the net addition of three units will equate to a contribution equating to £18,000 for educational purposes would be appropriate.
- 14.9 For the appeal decision for P0675.14, the Council made a case for a contribution towards infrastructure, not a specific educational need, which meets the CIL regulation test. There is evidence that new residential development impacts on education. The application site is an area that has a shortfall of school places. The education contribution will be used to expand one of the following schools - Hylands Primary School or Emerson Park School. No more than four other contributions would be used for this project. The education contribution is not a tariff and therefore, doesn't conflict with the Written Ministerial Statement made by: The Minister of State for Housing and Planning (Brandon Lewis) on 28th November 2014, regarding support for small scale developers, custom and self-builders.

15. **Mayoral CIL**

- 15.1 The CIL payment is applicable as the proposal is for four dwellings. The gross internal floor area of the proposed dwellings is 380m². As No. 14 Beverley Gardens has already been demolished, its floor space cannot be taken into account in assessing CIL liability. The applicable fee is based on an internal gross floor area of 380m² and amounts to £7,600 (subject to indexation).

16. **Conclusion**

- 16.1 Staff consider the site to be acceptable in principle for residential development. In addition, the principle of development was deemed to be acceptable for the planning application, P0675.14. Staff consider that the proposal would not adversely affect the streetscene. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. Staff consider the amount and configuration of the parking proposals to be

acceptable. There would be a financial contribution of £18,000 for education purposes. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

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 26/07/2016 and revised plans received on 1/09/16 and 15/09/16.

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REGULATORY SERVICES COMMITTEE

6 October 2016

REPORT

Subject Heading:

P0922.15 – Dovers Corner Industrial Estate, including the Rainham Trading Estate, New Road, Rainham

Demolition of existing structures and the phased redevelopment to provide 394 residential dwellings, car parking, bicycle parking, substation, public open space and pedestrian/cycle infrastructure, works and improvements (including de-culverting of Pooles Sewer, relocation of gas main, minor alterations to access from New Road and closure of existing secondary accesses, formation of emergency access onto Lamson Road and other associated works), at Dovers Corner Industrial Park, Rainham Trading Estate and Boomes Industrial Estate, Dovers Corner, 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

Simon Thelwell, Planning Manager, Projects and Regulation

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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 application was deferred at the 25th August meeting of the committee to enable Staff to clarify the position regarding affordable housing. It also gave the opportunity for members to highlight any issues they felt were not addressed within the published report. In addition the advice from the Health and Safety Executive has also been re-evaluated in the light of clarification on the safeguarding zones and the re-location of the northern pipeline. These matters are addressed in an update section at the beginning of this report and in changes to the main report as necessary.

Members should also note that the description of the development has been clarified in respect of the works and improvements to facilitate the development. There has also been a reduction in two units to provide a communal energy system. This is explained in more detail within the main body of the report.

The report considers an application for the erection of 394 dwellings comprising 175 houses and 219 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. Any affordable housing would be exempt from payment; therefore, the final figure may be reduced.
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:
 - The GLA has provisionally allocated £4,440,000 of Housing Zone funding to be used on the site to deliver affordable housing. Subject to the grant being available, the affordable housing grant to be claimed by a Registered Provider to fund the delivery of affordable housing. Based upon a 50:50 split between affordable rent and shared ownership this will deliver 51 affordable units as follows:
 - 10 no. 2B Apartments (Affordable Rent)
 - 13 no. 3B 3ST Houses (Affordable Rent)
 - 3 no. 4B 3ST Houses (Affordable Rent)
 - 5 no. 2B Apartment (Shared Ownership)
 - 16 no. 3B 3ST Houses (Shared Ownership)
 - 4 no. 4B 3ST Houses (Shared Ownership)
 - These units to be marketed to Registered Providers following the grant of planning permission.
 - Affordable housing review mechanism to be applied at agreed stage(s) of the development. 50% of any development surplus to be used to provide affordable housing (to be determined as to whether the clause should include delivery on site and/or by way of a financial contribution).
- 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, 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. Gas pipeline
10. De-culverting works to Pooles Sewer
11. Car parking
12. Electrical charging points
13. Energy efficiency
14. Air quality
15. Land Contamination (1)
16. Land contamination (2)
17. Land contamination (3)
18. Refuse and recycling
19. Cycle storage
20. External lighting
21. No additional flank windows
22. Removal of permitted development rights
23. Boundary treatment
24. Landscape management plan
25. Non-road mobile plant and machinery
26. Secured by design
27. Hours of construction
28. Vehicle cleansing
29. Construction and demolition environmental management
30. Noise insulation
31. Wheelchair accessibility
32. Details of emergency access
33. Details of cycleway and footpaths
34. Visibility splays
35. Highway agreements
36. Fire hydrants

37. Archaeological investigation
38. Foundation design and method statement
39. Water efficiency
40. Ecological survey prior to de-culverting works
41. Habitat creation
42. Car Parking Management plan
43. Access details

Informatives listed in appendix A

REPORT DETAIL

Update

The consideration of this application was deferred at the 25th August, 2016 meeting of the committee to enable Staff to clarify the position regarding affordable housing with the applicant and the Greater London Authority. It also provided an opportunity for members to raise additional matters for clarification. Since the deferral further assessment has been given to the consultation response from the Health and Safety Executive regarding the risks posed to the development by nearby gas pipelines. The response from the Health and Safety Executive regarding the risks has been updated following a re-evaluation of the standing advice of 'advise against'.

Member queries

- Has the scheme changed since the public presentation in Rainham Library to reflect concerns raised?
A: The scheme has been modified to reflect public comments prior to submission and subsequently modified to address Staff concerns over design, layout and parking.
- Given the size and importance of the proposals there should be a separate meeting to consider the application?
A: It would normally be appropriate to consider major applications such as this at one of the scheduled committee meetings except in special circumstances.
- Are the three storey dwellings town houses?
A: Yes and all are three-bed. 47 houses would be two-storey; 128 houses three-storey; 3 flats over garages (2 storey) and 216 flats in 4 to 5 storey buildings.
- Is the parking for the houses in independent parking bays or outside properties and are housing and flat parking bay separated?

A: The parking is mainly in independent allocated bays for the houses, but with some outside the curtilage of the house. Most of the parking for the flats is in parking areas but some is on-street adjacent to that for housing. There would be a parking management scheme that allocates and controls the parking spaces.

- Should a lower contribution be acceptable for new housing when it is already well short of £20,444 required for infrastructure costs?

A: The lower contribution of £4,500 was originally agreed to reflect the increased costs of bringing development sites forward in the London Riverside Area. As the Council now only seeks a charge in relation to education the comparison with £8,671 (para. 6.65) is probably more appropriate. In addition there is also a CIL payment based upon the increase in floorspace of £20 per square metre. This goes towards public transport infrastructure and is the reason why the original figure was discounted.

- Is the £1.6 million GLA grant solely for affordable housing, what is the £1.32 for?

A: The £1.62 million is the sum allocated by the GLA for affordable housing on the site. The £1.32 million is a sum that was allocated by the GLA to Council sites north of the A1306 that is now available as that development is no longer being progressed.

- Why does it say predominantly three-storey when most flats are four storey. The majority of the dwellings are in four storey apartments?

A) The majority of the units would be provided in the flatted blocks; however, a greater residential floorspace would be provided in the two and three-storey development and this would also cover a greater site area. Most of the new buildings would also be two and three-storey. In the 2011 appeal decision the Secretary of State concluded that taller buildings were acceptable on the site and that the development was predominantly 3 storey. The Rainham and Beam Reach Planning Framework also accepts some development over three-storeys along New Road.

Affordable Housing

Staff have had discussions with the applicant and GLA officers regarding the provision of grant funding to provide affordable housing on the site. The GLA has provisionally allocated £4,440,000 of Housing Zone funding to be used on the site to deliver affordable housing – this would be subject to a value for money assessment by the GLA. The GLA Affordable Housing Grant is available to be claimed by a Registered Provider (Housing Association) to fund the delivery of affordable housing within the housing zone. There are three grant allocations which comprise the grant available for the site of £1.62 million, grant of £1.32 million allocated to another site, but can now not be spent there, and the £1.5 million infrastructure grant. The availability of the latter figure is subject to final confirmation.

In the discussions consideration was given to maximising the affordable provision to seek to meet the Mayor's 35 % target. However, the Council is seeking a 50:50 split between affordable rent and shared ownership which would result in a lower percentage, but would better contribute to meeting Havering's housing needs. Staff consider that this should be the objective in accordance with the Housing Strategy and Rainham and Beam Park Planning Framework. The provision offered using the total grant would be 51 units as follows:

10 no. 2B Apartments (Affordable Rent)
13 no. 3B 3ST Houses (Affordable Rent)
3 no. 4B 3ST Houses (Affordable Rent)
5 no. 2B Apartment (Shared Ownership)
16 no. 3B 3ST Houses (Shared Ownership)
4 no. 4B 3ST Houses (Shared Ownership)

The conclusions of the independent viability assessment recommend that a review mechanism which would allow viability to be tested at agreed stage(s) of the development should be adopted to ensure that any improvements in viability can trigger the delivery of affordable housing. Alternatively the consultants suggest that it may be appropriate for forecasted growth values and costs to be incorporated into the appraisal, to reflect the long development period and consequently the high potential for substantial changes in viability over the course of the development.

The applicant has undertaken a forecasted growth and costs assessment and offered nine additional units which the same 50:50 split. There have been discussions that sought to achieve this offer plus some form of review, however, it is offered in accordance with the independent viability review report commissioned by the Council. Originally Staff had recommended that an offer of units up front would help to maximise the overall delivery against the uncertainties of a review mechanism. The offer included discounted market units which were not strictly affordable or met housing need. Therefore, in view of the small number of units generated now offered Staff consider that a review mechanism would now be the better option. Ideally both options would have been preferred but given that the consultant's recommendations had previously been accepted a review is recommended.

Gas Pipeline

There are three high pressure gas pipelines within or close to the site. Further details are given in the main body of the report. Consultations with the Health and Safety Executive (HSE) on the appropriateness of development in proximity of such pipelines are normally undertaken using an on-line toolkit available to the local authority. This generates standing advice of either 'advise against' or 'don't advise against'.

A site specific assessment by the HSE can be requested where the local pipeline characteristics might indicate a different outcome. Such information is

not part of the toolkit so a site specific assessment can generate different advice. From details included in the planning application and from work undertaken by the Council a 'don't advise against' outcome is indicated. This would mean that the risk arising would be acceptable. A further consultation has been undertaken directly with the HSE who have confirmed that based on the proposed re-routing of the Mardyke-Ford Dagenham pipeline, they would not advise against the development. The HSE recommends 2 conditions should planning permission be recommended for approval.

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 originally advised against the development. However, the HSE has subsequently undertaken a detailed site specific response that provided the Mardyke=Ford Dagenham pipeline is rerouted as proposed, they do not advise against the development.

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 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 have led 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: i) 1 in 5 spaces provide 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 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 394 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.

Gas pipelines

- 6.60 There are three high pressure gas pipelines within or close to the site. Two pass to the south on the opposite side of the C2C and HS1 railways, with the third along the northern boundary. These are:
- Romford-Baker Street Main pipeline (south of the railway)
 - Horndon-Barking Main (south of the railway)
 - Mardyke-Fords Dagenham Main (north of the site adjacent to New Road)

These pipelines have consultation zones, with inner, middle and outer areas. The nature of the pipelines affects what it is appropriate to build in the vicinity. The level of risk depends on the type of development and residential development is relatively vulnerable. The Health and Safety Executive provide advice to local authorities on the suitability of development within the various zones through an on-line tool kit. This generates advice of 'advise against' or 'don't advise against' depending on the zone and the vulnerability of the development. For residential development the advice in the inner and middle zones is 'advise against', only in the outer zone is it 'don't advise against'.

- 6.61 The original advice generated by the toolkit as set out in the consultation section of the report is 'advise against'. However, as part of the work for the preparation of the Rainham and Beam Park Planning Framework the HSE was asked to reassess the consultation zones. This resulted in reduced zones with the conclusion that for most of the development sites within the housing zone, including Dovers Corner a 'don't advise against' outcome would result.

This is supported by consultations with the HSE by the applicant in support of the application. In order to confirm the position HSE have been consulted directly requesting a site specific assessment in view of the local situation highlighted in the various reports. The HSE site specific assessment has confirmed a 'do not advise against outcome', subject to the proposed rerouting of the Mardyke-Ford Dagenham pipeline which is included in the proposals.

Infrastructure impact

- 6.62 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.
- 6.63 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.
- 6.64 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.
- 6.65 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.
- 6.66 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.
- 6.67 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.

- 6.68 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.
- 6.69 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.
- 6.70 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.
- 6.71 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.
- 6.72 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 by the Developer.

6.73 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 related to the proposed development.

Affordable Housing

6.74 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 in the region of 35% of new homes as affordable units.

6.75 The LROA Planning Framework identifies the general need to provide more intermediate affordable housing provision given the general high level of rented affordable housing in London Riverside. However, account also needs to be taken of the specific needs of the area concerned. Within the housing zone the Rainham and Beam Park Planning Framework seeks a 50:50 split between intermediate and affordable/social rental units to meet housing needs. Given the increased cost of providing rental units this split is likely to result in a lower total number compared with higher proportions of intermediate units, such as shared ownership. Therefore, notwithstanding the general advice in the LROAPF affordable housing should meet local housing need in terms of tenure

types. The latest position is set out in the Council's Housing Strategy 2014-2017 which seeks to achieve the 50:50 split. This is a change from the 70:30 split in LDF Policy DC6.

- 6.76 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 may be available specifically for affordable housing. In this case the grant that has been provisionally earmarked for the site is £1.62 million. In addition there are other grants amounting to £1.32 million and £1.5 million that are also available for use within the Housing Zone that could bring about further provision. The position regarding the £1.5 million, which is currently earmarked for infrastructure improvements on the site, has yet to be confirmed. To ensure that steps are taken to utilise the grant clauses are recommended in the S106 obligation.
- 6.77 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.
- 6.78 The conclusions of the independent viability assessment recommend that a review mechanism which would allow viability to be tested at agreed stage(s) of the development, should be adopted to ensure that any improvements in viability can trigger the delivery of affordable housing. The details of the review mechanism and the timings would need to be incorporated into a S106 obligation. Alternatively the consultants suggest that it may be appropriate for forecasted growth values and costs to be incorporated into the appraisal, to reflect the long development period and consequently the high potential for substantial changes in viability over the course of the development. Both these approaches are consistent with RICS guidance.
- 6.79 The applicant is willing to accept either of these approaches subject to the review mechanism or the number of additional units being agreed from the outset. Details would need to be incorporated into a S106 obligation. The forecasted growth in values and costs appraisal has been undertaken which has generated nine additional affordable units based upon a 50:50 tenure split. Previously there had been an offer of 25 discounted market units, but the level of discount offered was insufficient for the units to be considered affordable.

- 6.80 Following additional consultation with the GLA and Housing Staff a request that both mechanisms should be considered was requested. However, the applicant is only prepared to offer one of the options as set out in the recommendation of the independent report. Staff consider that given the small number of units offered based upon future projections that a review mechanism would be the preferred option.
- 6.81 As part of any review mechanism any identified savings should be used to provide affordable units on site and/or provide a commuted sum to be spent elsewhere with the housing zone. Whether units can be provided on site will depend on the timing of the review and the terms of the S106 obligation. Normally the practice is to share any savings with the developer to encourage economies within the development.
- 6.82 GLA staff have been consulted on the viability 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. However, in this part of the housing zone the Council is seeking a 50:50 split in line with its housing strategy which would not achieve this level of provision.
- 6.83 As a result of negotiations with the applicant and the GLA in respect of the utilisation of housing grant available, using offers from registered providers (Housing associations) the following has been offered. This incorporates the Council's preferred tenure mix and would provide 51 (14%) units as affordable. This delivery would depend entirely on grant funding, which is not guaranteed. The units would comprise a mix of apartments and houses including some three and four- bed.
- 6.84 In the earlier report Staff had recommended that the 25 discounted units should be accepted without a review mechanism as this would achieve the Mayor's 35% target, however, this has been reassessed and the objective is to deliver units that meet the areas housing need rather than maximise the total number of units. A review mechanism is now recommended which may deliver a higher number of units (either on or off site).
- 6.85 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. However, the offer of the 51 units is totally dependent on the delivery of grant and the applicant being able to meet the grant criteria. Staff consider that what is being proposed, subject to agreement of the detailed delivery mechanism to be included in a S106 obligation, is reasonable and would accord with LDF Policy DC6 and London Plan Policies 3.11 and 8.2.
- 6.86 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

- 6.87 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.
- 6.88 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.
- 6.89 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.
- 6.90 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 394 dwellings, comprising 219 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 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 affordable units through grant funding amounts to 51 units (14%), is considered acceptable in

light of the conclusions on viability and best meeting the Borough's housing need. A review mechanism to uplift affordable housing provision should values rise is also recommended. 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* – Prior to residential occupation of the units in phases 1a and 1b of the development as shown on the construction phasing plan drawing number PH154-PL-05 00, the section of the Mardyke / Ford Dagenham pipeline shall be re-routed as detailed on the Ardent Constraints Plan ref: S960-005A or to an alternative route the details of which shall be first agreed in writing with the Local Planning Authority in consultation with the Health and Safety Executive, subject to that route being no closer than 9m to any building hereby permitted. Prior to any pipeline relocation works taking place, a scheme detailing 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, shall be submitted to an approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved scheme.

Reason: In order to ensure that the development would be safe. 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 re-routing 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. *Gas Pipeline* - The rerouted pipeline shall will have the same characteristics as the existing pipeline i.e. 355.6mm OD, 9.52mm wall thickness, X46 steel, 33.1 barg pressure and 900mm depth of cover, unless a variation to this specification has been first agreed in writing with the Local Planning Authority following consultation with National Grid and the Health and Safety Executive.

Reason: In order to ensure that the development would be safe.

10. *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.

11. *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.

12. *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.

13. *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.

14. *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..

15. *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.

16. *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.

17. *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.

18. *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.

19. *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.

20. *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.

21. *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.

22. *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.

23. *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.

24. *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.

25. *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.

26. *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.

27. *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.

28. *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

29. *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.

30. *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.

31. *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.

32. *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.

33. *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.

34. *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.

35. *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.

36. *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.

37. *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.

38. *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.

39. *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

40. *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.

41. *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.

42. *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.

43. *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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