



Havering

L O N D O N B O R O U G H

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
8 December 2016**

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

Members 11: Quorum 4

COUNCILLORS:

**Conservative
(5)**

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

**Residents'
(2)**

Stephanie Nunn
Reg Whitney

**East Havering Residents'
(2)**

Alex Donald (Vice-Chair)
Linda Hawthorn

**UKIP
(1)**

Phil Martin

**Independent Residents
(1)**

Graham Williamson

**For information about the meeting please contact:
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richard.cursons@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

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

Reporting means:-

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

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

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

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

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

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

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

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

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

4 MINUTES (Pages 1 - 14)

To approve as a correct record the minutes of the meeting of the Committee held on 17 November 2016 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 15 - 82)

- 6 **P1421.16 - 1 MOWBRAYS ROAD, ROMFORD** (Pages 83 - 102)

- 7 **P1249.16 - HEXAGON HOUSE 5 MERCURY GARDENS, ROMFORD** (Pages 103 - 120)

- 8 **P1339.16 - ABERCROMBIE HOUSE, BRIDGWATER ROAD, HAROLD HILL** (Pages 121 - 126)

- 9 **P0562.15 - 102-124 SACKVILLE CRESCENT** (Pages 127 - 142)

- 10 **P0567.15 - 126-148 & 150-160 SACKVILLE CRESCENT** (Pages 143 - 158)

- 11 **P1609.16 - MOUNTBATTEN HOUSE, ELVET AVENUE** (Pages 159 - 168)

- 12 **P1532.16 - CROWNFIELD JUNIOR SCHOOL, WHITE HART LANE** (Pages 169 - 180)

- 13 **P1528.16 - CROWNFIELD INFANTS SCHOOL, WHITE HART LANE** (Pages 181 - 192)

- 14 **P0157.16 - 69 NEWTONS CLOSE, RAINHAM** (Pages 193 - 202)

- 15 **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
Head of Democratic Services

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
17 November 2016 (7.30 - 10.35 pm)**

Present:

COUNCILLORS: 11

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

Residents' Group Stephanie Nunn and Reg Whitney

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

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

An apology for absence was received for the absence of Councillor Michael White.

+Substitute members: Councillor Damian White (for Michael White).

Councillors Clarence Barrett, Jody Ganly, Lawrence Webb, Jeffrey Tucker, David Durant and Michael Deon Burton were also present for parts of the meeting.

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

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

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

116 **DISCLOSURE OF INTERESTS**

Councillor Melvin Wallace declared a personal interest in application number P0518.16. Councillor Wallace advised that he lived in the same road as the application site.

117 **MINUTES**

The minutes of the meetings held on 6 October and 27 October 2016 were agreed as correct records and signed by the Chairman.

118 **P1123.16 - 11 QUEENS GARDENS, CRANHAM**

The proposal before Members sought consent to convert and extend the existing detached garage to a new self-contained detached chalet style bungalow dwelling with dormer windows and roof lights.

Members noted that the application has been called in by Councillor Clarence Barrett on the grounds that the size of the development seemed inappropriate and overbearing at the given location.

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

The objector commented that the proposal was contrary to the Mayor of London's Plan and did not meet minimum room size requirements. The objector also commented that the proposal site was surrounded by Green Belt land and that the proposal was also contrary to policy DC61. The objector concluded by commenting that the proposal would lead to a loss of light for neighbouring properties.

In response the applicant commented that the proposal had been agreed with both Planning and Highways officers and that the proposal was more attractive than what was currently in-situ. The applicant concluded by commenting that the proposal was small and manageable and was designed that way as the applicants planned to sell their existing property and move into the proposal due to personal reasons.

With its agreement Councillor Clarence Barrett addressed the Committee.

Councillor Barrett commented that the proposal was inappropriate at the site and would be very prominent in the streetscene. Councillor Barrett concluded by commenting that the proposal would lead to a loss of light to a neighbouring property.

During the debate Members sought and received clarification as to the size of the rooms proposed and the closeness of the neighbouring property.

Members also discussed whether the proposal was out of keeping with the streetscene and the possibility of deferring consideration of the report to allow the applicant to submit an alternative proposal.

The report recommended that outline planning permission be approved however following a motion to refuse the granting of outline planning

permission that was carried by 6 votes to 5 it was **RESOLVED** that outline planning permission be refused on the grounds that:

The proposal failed to meet London Plan internal space standards.

The vote to refuse the granting of outline planning permission was carried by 6 votes to 5.

Councillors Donald, Hawthorn, Nunn, Whitney, Martin and Williamson voted for the resolution to refuse the granting of outline planning permission.

Councillors Misir, Best, Kelly, Wallace and D. White voted against the resolution to refuse the granting of outline planning permission.

119 **P0518.16 - 2A AYLOFFS WALK, HORNCHURCH**

The application before Members related to a new two storey side extension with hipped roof over, garage converted to a lounge, new front elevation render treatment, bays removed and replaced with windows and new crossing boundary front wall gates.

The application had been submitted seeking alterations to a previously approved scheme. It was noted that the previous approval (P0888.15) could still be implemented as it was within three years of the previous decision being made.

Members noted that the application had been called in by Councillor Roger Ramsey on the basis of the impact of the application on to the adjoining property in terms of loss of privacy and light.

Members were read a statement from Councillor Ramsey, who had been unable to attend the meeting, which re-iterated his reasons for the call-in.

In accordance with the public speaking arrangements the Committee was addressed by an objector without a response by the applicant.

The objector commented that the proposal would lead to privacy and loss of light issues to neighbouring properties. The objector also commented that the trees planted on the site had been done so to protect the water table. The objector concluded by commenting that the previous planning permission had been granted without the knowledge of the Tree Preservation Orders being known.

During a brief debate Members discussed the merits of the proposal and whether there would be any issues of loss of light.

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

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

Councillor Wallace voted against the resolution to grant planning permission.

120 **P1905.15 - 131 GOOSHAYS DRIVE, ROMFORD**

The proposed development before Members was for an A1 foodstore, measuring 1,661 sqm. with 55 car parking spaces on a brownfield site outside of any allocated town centre. Planning permission had previously been granted for a smaller store on the site.

Members noted that there was an alteration to the justification for Condition 17 which needed to say Harold Hill not Collier Row.

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

The objector commented that the proposal was in a residential area and that the second application had not been scrutinised enough. The objector also commented that there was not enough extra parking for the larger proposal and that HGVs delivering goods would hinder traffic movements. The objector concluded by commenting that parking issues in the area were already problematic and that the proposed store would impact on existing businesses in the Harold Hill area.

In response the applicant's agent commented that the applicant had worked closely with the Council to achieve a suitable proposal and had changed some of the building materials to achieve a more aseptically pleasing building. The agent also commented that the building line was at least 25 metre away from the nearest residential properties. The agent concluded that the applicant needed to build sustainable buildings that required more floorspace and that the proposal was complimentary to new-build properties in the area.

With its agreement Councillor Lawrence Webb addressed the Committee.

Councillor Webb commented that the proposal was too big for the site and didn't fit with the streetscene. Councillor Webb also commented that the proposal would overlook properties in Trowbridge Road and that the parking proposed would be insufficient. Councillor Webb concluded by commenting that the proposal would create traffic congestion as Gooshays Drive was already a busy road.

During the debate members discussed the benefits for the area of the proposal and the possible competition it would provide to other shops in the area.

Members also discussed possible light spillage from the proposal and how this could be screened from neighbouring properties.

The Committee noted that the proposal qualified for a Mayoral CIL contribution of £37,560 and **RESOLVED** to delegate to the Assistant Director of Regulatory Services to agree with the applicants a scheme showing how light spillage from the store and its external areas would be mitigated to prevent light disturbance being caused to the bedrooms of nearby residential properties. Subject to successful agreement of such a scheme then to grant planning permission subject to prior completion of a legal agreement.

Also to attach an additional condition to reinforce implementation of the agreed lighting scheme before the store and/or its external areas became operational. If the lighting mitigation scheme was not satisfactorily agreed through powers delegated to the Assistant Director of Regulatory Services then the application would come back to Committee for consideration.

Also the justification for Condition 17 needed to say Harold Hill not Collier Row.

121 **P1559.16 - 48 PURBECK ROAD, HORNCHURCH**

The proposal before Members was for the construction of a double storey side and rear extensions, plus single storey rear extension to include roof lights. The plans suggested that the extension will form an annexe to the main dwelling.

A legal agreement was required to ensure that the annexe would be used only for living accommodation ancillary to the existing dwelling known as 48 Purbeck Road Hornchurch, and would not be used as a separate unit of residential accommodation at any time.

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that she had concerns regarding the proposal as the applicant had previously shown a disregard for planning rules when altering another property in the road. Councillor Ganly also commented that there was concern that the extension would be used as a separate dwelling and that perhaps it would be more suitable if the applicant submitted another application showing the proposal as a separate dwelling.

During a brief debate members discussed the possibility of the proposal being used as a separate dwelling and whether the proposal was an overdevelopment of the site.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106

Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- The annexe should remain ancillary to the main dwelling - No. 48 Purbeck Road Hornchurch.
- The annexe not to be let, leased, transferred or otherwise alienated separately from the original property and land comprising No. 48 Purbeck Road Hornchurch.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

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

Councillors Nunn and Whitney voted against the resolution to grant planning permission.

122 P0922.15 - DOVERS CORNER, NEW ROAD, RAINHAM

The report before Members considered an application for the erection of 394 dwellings comprising 175 houses and 219 flats on land adjacent to Dovers Corner, Rainham.

The application was deferred at the 6 October 2016 meeting of the Committee to give the applicant the opportunity to address the following:

- Clarification of possible health related infrastructure;
- Poor, bulky, cluttered visual impact arising from the extent of unarticulated, uniform approach towards design;
- Highway safety and pedestrian crossing implication related to single point access/egress;
- Insufficient onsite and on road parking provision which would encourage extensive competition between occupiers and visitors for

spaces to the detriment of living conditions, amenity and safety. The maximum parking standard would be more suited to the site.

These matters were addressed in an update addendum to the report, which included the formal recommendation. The proposals had been revised to include additional parking spaces and revisions to the design.

With its agreement Councillors Jeffrey Tucker and David Durant addressed the Committee.

Councillor Tucker commented that the proposal should not have any high rise blocks and that the density of the proposal did not allow for suitable play areas. Councillor Tucker also commented that the proposal should include good access to nearby shops and include a safe area to cross the A1306.

Councillor Durant commented that Members should consider deferring consideration of the report again to allow the applicants to come back again with improvements as the proposals being put forward were improving but still had some way to go to appease residents and Councillors. Councillor Durant also commented that the parking provision on the development was still too low and needed increasing.

During the debate Members discussed the possible removal or re-location of the five storey block and the parking provision being offered by the applicant.

Members also discussed the need for a pedestrian crossing to enable residents to cross the A1306 and access and egress arrangements for the site.

A motion for deferral of consideration of the report was lost by 4 votes to 7.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £388,440 and **RESOLVED** to delegate to the Assistant Director of Regulatory Services to negotiate provision for a scheme of traffic light control at the site entrance plus a signal controlled, improved pedestrian crossing towards the primary school opposite and subject to this provision being agreed to grant planning permission subject to prior completion of a legal agreement subject to no contrary direction on referral to the Mayor of London.

If the provision for these highway elements could not be agreed under powers delegated to Assistant Director of Regulatory Services then the application would be referred back to the Committee for consideration.

The vote for the resolution to delegate to the Assistant Director of Regulatory Services to grant planning permission was carried by 7 votes to 4.

Councillors Misir, Best, Kelly, Wallace, D. White, Donald and Hawthorn voted for the resolution to delegate the granting of planning permission.

Councillors Nunn, Whitney, Martin and Williamson voted against the resolution to delegate the granting of planning permission.

123 **P1601.15/P1605.15 - AHERN COMPOUND, GERPINS LANE, UPMINSTER/PINCH SITE, GERPINS LANE, UPMINSTER**

The report before Members detailed two linked applications. The first was for the temporary use of the existing Ahern Compound area including ancillary plant, buildings, overnight security and roadways to receive and treat suitable inert soil materials for the restoration of the adjoining Pinch Site.

The second application was for the restoration of damaged land to provide a managed woodland and grassland area with a recreational and amenity after use by the importation and spreading of suitable inert soil materials via the adjoining Ahern Compound.

The Committee at its meeting on 27 October agreed to defer both applications, to enable officers to:

- Clarify options for calculating highways contributions required by the development;
- Clarify how such highway contributions feed into the highways programme for resurfacing.

An update on both of these items was given in the report.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the proposals were on Green Belt land and therefore needed special circumstances to proceed. Councillor Durant also commented on the cumulative impact on lorry movements from all the various sites in the area and suggested that the schemes only go live when the existing Berwick Pond Road scheme was finished. Councillor Durant concluded by commenting that parts of Warwick Lane, which was part of the lorry route, was breaking up in many areas.

Application Reference P1601.15 & P1605.15

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Adherence to a lorry routeing agreement and management plan, which shall first be submitted and approved in writing by the Local Planning Authority;
- A highway maintenance contribution of £17,553.03 to account for increased HGV use of Gerpins Lane and Warwick Lane; and
- A scheme for public access to the site, which shall first be submitted and approved in writing by the Local Planning Authority, and implemented in perpetuity.
- The Council's reasonable legal fees for completion of the agreement shall be paid prior to the completion of the agreement irrespective of whether or not it is completed.

It was therefore recommended that the Assistant Director of Regulatory Services be authorised to negotiate and agree a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report and to include the following conditions:

- The approved developments not to commence until completion of the separate Little Gerpins development.
- Add "subject to indexation" to the second bullet of the heads of terms (£17,553.02 highways maintenance contribution).

Also the Assistant Director of Environment be informed that the Regulatory Services Committee sought that the highway contribution was used to ensure that the surface condition of the relevant sections of Gerpins Lane and Warwick Lane were continuously maintained in a safe condition.

124 **P0960.16 - 75 NORTH STREET, HORNCHURCH - ERECTION OF A THREE/FIVE STOREY BUILDING COMPRISING FORTY FOUR. RESIDENTIAL UNITS, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORK**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £76,838.00 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement to secure the following:

- A financial contribution of £264,000 to be used towards educational infrastructure costs
- To provide the Private Rented Sector (PRS) units for a minimum of 15 years and not to allow occupation of any the units for use other than PRS during that time period
- Not to dispose of any of the Private Rented Sector (PRS) units free from any of the restrictions, terms and obligations in the S106

Agreement within a Clawback Period of up to 15 years without undertaking a Disposal Viability Appraisal to determine whether it was viable to pay an Affordable Housing Contribution. Where the Disposal Viability Appraisal indicated that it was viable to pay an Affordable Housing Contribution the applicant to pay such identified contribution to the Council.

- Not to allow occupation of the units until a Private Rented Sector (PRS) Marketing Strategy had been submitted to, and approved by, the Council. Such Strategy to secure that priority was given to residents who live or work in the Borough and to provide for local marketing within the Borough
- Not to allow occupation of the units until a Private Rented Sector (PRS) Management Plan had been submitted to, and approved by, the Council. Such Plan shall secure the following:
 - Provision of a lease period between 1 and 5 years
 - Demonstrate a consistent and quality level of housing management, and
 - Limit rent increase to one increase per 12 calendar months
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Assistant Director of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant subject to the conditions as set out in the report.

125 **P1284.16 - BUTTERFIELDS, ORANGE TREE HILL, HAVERING-ATTE-BOWER, ROMFORD - TWO STOREY SIDE EXTENSION AND PROPOSED "JULIET BALCONY" TO FIRST FLOOR**

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

126 **P144016 - 5 KILN WOOD LANE, HAVERING-ATTE-BOWER, ROMFORD
- DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO
STOREY SIDE EXTENSION TO BE USED AS AN ANNEXE**

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

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

Councillor Nunn voted against the resolution to grant planning permission.

127 **P1331.16 - 121 CROSS ROAD - DEMOLITION OF EXISTING SOCIAL
CLUB AND REDEVELOPMENT OF SITE TO PROVIDE 4 THREE
BEDROOM HOUSES TOGETHER WITH ASSOCIATED ACCESS ROAD,
PARKING AND LANDSCAPING. SINGLE STOREY REAR EXTENSION
TO EXISTING RETAINED BUNGALOW AT 121 CROSS ROAD.**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £2,720 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £24,000 to be used for educational purposes
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

128 **P1356.16 - SCIMITAR HOUSE, 23 EASTERN ROAD, ROMFORD - PROPOSED ROOF EXTENSION TO THE CENTRAL AND REAR AREAS OF THE EXISTING BUILDING TO CREATE NINE RESIDENTIAL UNITS**

The Committee considered the report, noting that that the proposed development qualified for a Mayoral CIL contribution of £10,700 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £54,000 to be used for educational purposes.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal would be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

129 **SUSPENSION OF STANDING ORDERS**

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

Chairman

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Regulatory Services Committee

8 December 2016

| Application No. | Ward | Address |
|------------------------|------------------|--|
| P0157.16 | Mawneys | Land at Aldi Stores, Marlborough Road, Romford |
| P0272.16 | South Hornchurch | Frog Island, Ferry Lane, Rainham |
| P0872.16 | Romford Town | St Cedd Hall, Sims Close, Romford |
| P1165.16 | Heaton | 27 Lewes Road, Romford |
| P1210.16 | Brooklands | Unit 4b, Bernard Road, Romford |
| P1418.16 | Romford Town | Unit 12a and 12b The Brewery, Romford |
| P1430.16 | Squirrels Heath | 587 Upper Brentwood Road, Romford |
| P1483.16 | Romford Town | 17-19 Market Place, Romford |

APPLICATION NO. P0157.16
WARD: Mawneys Date Received: 29th January 2016
Expiry Date: 25th March 2016
ADDRESS: Land at Aldi Stores
Marlborough Road
Romford
PROPOSAL: Alterations to existing car park layout and provision of additional car
parking on adjacent land to serve existing foodstore, together with
reinstatement of former community allotment on remainder of adjacent
land, associated landscaping and works.
DRAWING NO(S): 8982 TCP 01
8982 TPP 01
17054-P001-B
17054-P002-B
17054-P003-H
5657/ASP2 Rev. F

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

CALL-IN

The application has been called in to the Regulatory Services Committee by Councillor Jason Frost for the following reasons:

The reason for my requesting the call-in for this application is that, having worked very closely with the developer to ensure the maximum benefit for the residents of the area, I feel that not enough consideration has been duly given to such efforts and would like the Committee to take a view on this.

BACKGROUND

The application was presented to the Regulatory Services Committee of 15 September 2016. During the debate Members discussed the proposed works and the benefits they would bring to the area. The report recommended that planning permission be refused however following a motion to approve planning permission it was resolved to delegate to the Head of Regulatory Services to grant planning permission, contrary to recommendation, subject to conditions and the prior completion of a legal agreement to cover:

- A clause requiring reversion of site to Green Belt open land on cessation of car park use by Aldi
- £12,000 financial contribution to nearby public open space
- plus imposition of conditions to be decided by the Head of Regulatory Services but to include a maintenance scheme for the meadow area in perpetuity

The application was to be re-presented to the Committee for determination in the event that the

legal agreement could not be satisfactorily negotiated.

This application is being brought back before the Committee as the applicant has queried the reasonableness of the clause requiring the reversion of the site to Green Belt open land and the linkage to Aldi and does not consider it necessarily reflects the nature of the debate and issues raised by Members at the meeting. The applicant argues that the clause is not necessary as the land would remain in Green Belt use and that planning permission would be required for all future development so the use as a car park should not present a greater risk of further development in the Green Belt in future.

Staff accept that the site would remain in the Green Belt and that further forms of development would require planning permission. However do not agree with the applicant in terms of the potential pressure for allowing further development on the site, given that it would become previously developed land, albeit within the Green Belt.

There is a clear distinction in the National Planning Policy Framework between undeveloped land and previously developed sites (brownfield land). With a few exceptions, development on undeveloped Green Belt land is considered inappropriate in principle and requires a case for very special circumstances. Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) in the Green Belt would not require a case for very special circumstances as it is judged to be acceptable in principle and will therefore only be assessed on whether it will have a greater impact on the openness of the Green Belt compared to the existing situation. In Staff's view it would therefore be easier for a developer to justify development on previously developed land than on undeveloped land in the Green Belt.

It is Officers understanding that for this reason members wanted a clause requiring the land to be returned to undeveloped land in the event of the cessation of the use of the car park.

This report is brought back to the Regulatory Services for Members to provide clarity on the intention of the clause in question and for Members to consider if, in fact, it is necessary for the site to be reverted to undeveloped land when the car park is no longer required.

Staff consider for the reasons set out above that reversion of the land to undeveloped land is reasonable. However, for purposes of clarity it is suggested that Members may wish to reword the required clause to read as follows:

- A clause requiring the physical reversion back to undeveloped land, including the removal of any hardstanding, on cessation of car park use for retail purposes

The reason for this is that it makes clear that physical works are required to reinstate the site and that it is not linked specifically to Aldi's occupation of the site but to the general use of the site for retail purposes.

The report presented to the committee on 15 September 2016 is appended to this report. Members will note that the application remains recommended for refusal, reflecting the original recommendation.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 15th September 2016

APPLICATION NO. P0157.16
WARD: Mawneys **Date Received:** 29th January 2016
Expiry Date: 25th March 2016

ADDRESS: Land at Aldi Stores
Marlborough Road
Romford

PROPOSAL: Alterations to existing car park layout and provision of additional car parking on adjacent land to serve existing foodstore, together with reinstatement of former community allotment on remainder of adjacent land, associated landscaping and works.

DRAWING NO(S): 8982 TCP 01
8982 TPP 01
17054-P001-B
17054-P002-B
17054-P003-H
5657/ASP2 Rev. F

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

CALL-IN

The application has been called in to the Regulatory Services Committee by Councillor Jason Frost for the following reasons:

The reason for my requesting the call-in for this application is that, having worked very closely with the developer to ensure the maximum benefit for the residents of the area, I feel that not enough consideration has been duly given to such efforts and would like the Committee to take a view on this.

BACKGROUND

The application was originally presented to the Regulatory Services Committee meeting of 30 June 2016 with a recommendation for refusal. When the officers report was published it was on the basis that the applicant was offering to provide land adjacent to the proposed parking area for use as allotments. However, shortly before the meeting the applicant confirmed that, following concerns raised about maintenance costs associated with the proposed allotments, alternative proposals were being considered. The application was therefore deferred by Members so that clarity could be sought from the applicant regarding the exact nature of the proposals, including what was proposed to be offered by way of community benefit and clarity regarding the case for very special circumstances to justify the development, as well as future proposals for management of the remainder of the land and maintenance proposals.

The applicant has provided additional information and landscape plan that proposes the following works:

- Removal of existing advertisement hoardings on the site;

- Clearance of the land and the removal of existing scrub;
- Provision of a wildflower meadow and grass mix;
- Improvements to the boundary planting; and
- Ecological enhancements.

The applicant has also confirmed that the meadow would be maintained by the applicant in perpetuity and it is likely that this will involve mowing of the meadow twice each year once it is established.

Staff can confirm, following consultation with Havering Parks Service, that the maintenance regime proposed is acceptable in principle and would be sufficient to adequately maintain the meadow.

In addition to the planned improvements to the application site, the applicant has also confirmed that they would be prepared to offer a financial contribution of £12,000 towards the improvement of open space elsewhere within the Borough, thereby delivering a further, wider community benefit.

After consultation with the Parks Development Manager, it has been identified that there are improvement projects that could be carried out within the King Georges Playing Field, which is local to the application site. The suggested improvements have been identified as the provision of a Toro/Sutu Interactive Play Courts (£50,000) and/or improvements to the children's play area (£30,000). The applicant has been asked if they would be prepared to increase the level of contribution proposed so that there is sufficient revenue to meet the cost of either of these improvements. However, the applicant is only willing to make a contribution of £12,000 towards the improvements.

It is Staff's view that the proposed development remains contrary to Green Belt policy as set out in the NPPF. Members will wish to consider however whether the community benefits put forward by the applicant amount to the very special circumstances necessary to justify the development. Staff are not convinced that the benefits proposed outweigh the in principle harm and the harm to Green Belt character arising from the proposal, in particular as the financial contribution offered by the developer is not sufficient to meet the costs of the identified improvements to the local King George Playing Field, so therefore cannot deliver a tangible benefit to the facilities available to the local community. A more substantial financial contribution would have enabled the provision of better local facilities that may have been judged to provide benefits outweighing the harm from the development and therefore constituting the very special circumstances necessary.

Despite the additional information provided and contribution proposed officers are not convinced that the very special circumstances case put forward is sufficient to overcome the in principle harm, and other harm, arising from the development and the proposal is therefore contrary to Policy DC45 and Policy 9 of the NPPF.

The report set out below is the same as that presented to committee on 30 June 2016.

SITE DESCRIPTION

The application site comprises the Aldi foodstore on Marlborough Road, Romford. Aldi foodstore lies approximately 1 mile to the northwest of Romford Town Centre and is to the southwest of the defined 'Minor Local Centre' on Denbar Parade.

The application site is an irregular shape and is 0.92 hectares in size. The land to the southwest of the store lies within the Green Belt. The land is vacant and largely comprises overgrown vegetation with substantial trees and hedgerow planting along its boundaries. This site was historically occupied as an allotment, but the use ceased many years ago.

The application site has a PTAL of 2.

DESCRIPTION OF PROPOSAL

The application proposes alterations to the existing Aldi car park layout and provision of additional car parking on the adjacent Green Belt land to serve the existing foodstore, together with the reinstatement of the former community allotment on the remainder of the Green Belt land. The proposal would also involve associated landscaping and works.

The application comprises two elements - the first element is the reconfiguration of the existing car park and the provision of additional parking spaces to serve the existing Aldi foodstore. The use of approximately 0.15 hectares of Green Belt land to the southwest of the store will facilitate the addition of an additional 56 parking spaces. The existing 14 spaces within the servicing area would be removed plus an additional 4 spaces within the main car park to improve circulation and provide additional parent and child and disabled parking spaces. The proposed changes would result in a net increase from 80 spaces to 118.

The second part of the proposal would be for the reinstatement of the remaining Green Belt land to allotments. Other than the existing vegetation along the boundaries, the land would be cleared of overgrown scrub. The existing pedestrian access along the site's southeast boundary would be used to provide access. No vehicular access would be provided.

It is envisaged by the developer that the land would be cleared and made available to the Council to be used as allotments on the basis of a peppercorn rent. This would be secured by way of a legal agreement in the event of the grant of planning permission.

The developer also proposes the removal of the existing advertisement hoardings.

RELEVANT HISTORY

P0286.10 - Retention of exterior lighting to car park
Apprv with cons 04-06-2010

A0084.09 - 2 No. internally illuminated shop advertisement signs (relocation of signs approved under A0051.08)
Apprv with cons 15-12-2009

CONSULTATIONS / REPRESENTATIONS

Public Consultation:

The proposal was advertised by way of a site notice and in the local press as development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development

Control Policies Development Plan Document. In addition, 78 neighbouring occupiers were directly notified of the application via letter. No representations were received as part of the public consultation process.

Internal Consultees:

Environmental Health - A contamination condition requested in the event of an approval

Highways - Objects to the proposal as it will generate more trips and cause local safety and congestion problems.

RELEVANT POLICIES

LDF

- CP14 - Green Belt
- DC15 - Retail and Service Development
- DC32 - The Road Network
- DC33 - Car Parking
- DC45 - Appropriate Development in the Green Belt
- DC61 - Urban Design
- DC62 - Access

OTHER

- LONDON PLAN - 4.7 - Retail and town centre development
- LONDON PLAN - 4.8 - Supporting a successful and diverse retail sector
- LONDON PLAN - 6.13 Parking
-
- LONDON PLAN - 7.16 Green Belt
-
- LONDON PLAN - 7.4 - Local character
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

STAFF COMMENTS

The main considerations in this case are the principle of development, Green Belt implications, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

GREEN BELT IMPLICATIONS

It is noted that the application site falls within the Metropolitan Green Belt.

Policy DC45 of the Council's Core Strategy and Development Control Policies DPD outlines a list of activities which are considered to be appropriate within the Green Belt. The proposal is for the

creation of a car parking area in association with a food store. This is not within the list of activities deemed appropriate in the Green Belt in accordance with Policy DC45 and the proposal is therefore judged inappropriate in principle.

The proposal would physically extend this use onto a neighbouring property and would further encroach into Green Belt land, which is not considered to be acceptable in this case, given the use is contrary to Policy DC45.

Policy 9 of the National Planning Policy Framework 2012 (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The subject proposal is determined to be an inappropriate development as it does not fall within any of the categories of development listed as acceptable within the NPPF. Such development should not be approved unless very special circumstances exist to outweigh the in principle harm and any other harm to the openness of the Green Belt.

In terms of any other harm, Staff consider the proposal to be harmful to the stated aim of the Green Belt to check the unrestricted sprawl of built up areas as it represents an encroachment into this presently undeveloped belt of land and to be potential harmful to openness. Although it will not involve any new buildings, the expanse of hard surfacing and the parking of vehicles will have an urbanising effect on this currently open area. Staff do acknowledge that, in its present condition, there is a reasonable degree of screening from outside the site, but this may change over time and seasonal changes will likely make the development more visible in winter. Additionally, although not explicit in the application, there is potential for the need for lighting and boundary security to the parking area, that is likely to have a further urbanising effect that is detrimental to the open, undeveloped character of the Green Belt at this point.

As part of making a case for very special circumstances the applicant has provided the following information:

- The site contributes little to the purposes of the Green Belt;
- The reinstated allotment will cover the majority of the site and represent an 'appropriate' use;
- Only a small portion of the Green Belt land would be used for car parking;
- The car park will compromise hardstanding and will not contain any new buildings;
- The site is contained by existing landscaping and development will have little visual impact.

The developer also list the following benefits:

- The reinstatement of historic allotments at negligible cost to the community;
- Improvement of degraded land at the entrance to the to the urban area;
- The inclusion of landscape and ecological enhancements;
- The removal of existing advertising hoardings; and
- The resolution of longstanding parking problems for Aldi, its customers and local residents.

Staff note that although the applicant is prepared to reinstate the allotment as part of the application, advice given by the Council Parks Service is that it would only be possible if there is a Horticultural Society that would be prepared to take on the management of the site, as the Council no longer manages allotment sites. At this stage it has not been confirmed whether there are any existing Horticultural Societies within the Borough that would be prepared to take on the

management of the allotment. Letters have been sent to local Societies to see whether there is any interest in running the proposed allotment and the outcome of this will be reported to the Committee.

In terms of parking demand and impact on local congestion, Staff consider that no detailed evidence has been provided with regard to an adverse impact caused by the existing site arrangements on highway safety and congestion. Staff note that the existing parking provision on site is within the range identified in the London Plan. The applicant contends that existing parking provision within the site is inadequate and has submitted a Transport Statement as evidence of this. Evidence has however only been provided of a parking survey that was carried out on one day - Saturday 18/07/15 - which indicates that there were only 4 occasions throughout the day where the car park demand exceeded the 80 car capacity. These were at 11:30 (82), 11:45 (85), 12:30 (83) and 13:00 (82). Staff do not consider that sufficient evidence has been provided of parking and congestion problems at the store to provide the very special circumstances needed to justify the proposal. Additionally the survey was undertaken almost a year ago and there is no evidence as to whether the situation has changed, or whether the opening of a new Aldi supermarket in nearby Collier Row has affected the parking demand.

Staff note also that the new allotments proposed do not have any parking provision nearby and are served only by pedestrian access from the A12. No assessment has been given of likely demand for additional parking by users of the allotments and where they may be likely to park in order to walk to the site.

Officers are not convinced, from the information submitted with the application, that there is a sufficient need for the car park, having regard to the limited findings of the survey, lack of detailed evidence of parking and congestion issues and general compliance of the existing parking provision with the requirement of the LDF. Furthermore there are concerns that, if congestion exists in the locality, the provision of additional parking could encourage further traffic to the store and potentially exacerbate parking locally. Staff are therefore of the opinion that the very special circumstances provided does not justify the in principle, and other harm, arising to the Green Belt.

On this basis, the subject application is not considered to be acceptable in principle and would also have a detrimental impact on the Green Belt.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Whilst no new structures are currently proposed on the land, the construction of a car parking area on this presently undeveloped land would create conditions that are visually inappropriate in a Green Belt setting. There is also potential for future associated development, such as boundary treatment and lighting, that could lead to a further urbanising impact on this part of the Green Belt.

IMPACT ON AMENITY

The proposal would not have any significant impact on the residential amenity of neighbouring occupiers due to the nature of the development. The car park would be an extension of the existing car park and is therefore not considered to result in a harmful impact over and above the

existing. The nearest residential properties are the flats situated to the west of the Aldi store.

HIGHWAY / PARKING

The Council's Highways department has objected to the proposal. They note that the site currently has provision for 80 spaces (68 if existing parking provision in the loading area is excluded) and the proposal is to increase this by 36 spaces to 118.

The transport statement essentially presents an argument that for an A1 use of 2,115m², a parking standard of 1 space per 18m² should apply and therefore provide 118 parking spaces. Highways consider that the site has a PTAL of 2 and the parking range, based on London Plan maximum standards, would be between 70 to 105 spaces based on 2,115m² of A1 use. Therefore, the current parking provision of 80 spaces is within this policy range at the moment.

The access to the site from Marlborough Road is constrained with very poor pedestrian visibility splays. In addition, the access is close to the junction of Marlborough Road with Mawney Road, which in turn is close to the junction of Marlborough Road and the A12. At peak times the immediate area regularly becomes congested and Highways are concerned that an increase in parking spaces at this site will attract more trips and put more pressure on the immediate road network and increase the risks associated with the narrow access. The application does not make clear any impacts on the road network, outside the site, which could be created by the proposal.

In conclusion, the site currently appears to provide a level of parking that is within the London Plan policy range for a store of this size and there is a concern that an increase in parking spaces will generate more trips and therefore local safety and congestion problems and so is not in accordance with policy DC32.

OTHER ISSUES

An ecological assessment has been submitted with the application. The vast majority of the site is covered by dense scrub, although there are some areas of grassland, but the survey indicates that the site generally has a low ecological value. Hedgerow will need protection. There is little evidence of protected species. Staff consider that if permission were to be granted suitable conditions could be imposed that would ensure the ecological impact of the development is acceptable.

KEY ISSUES / CONCLUSIONS

The subject application is not considered to be acceptable in principle, as it conflicts with the purposes of including land within the Green Belt and is deemed to be an inappropriate form of development within the Green Belt. It is judged that the very special circumstances case put forward is not sufficient to overcome the in principle harm, and other harm, arising from the development and the proposal is therefore contrary to Policy DC45 and Policy 9 of the NPPF. The proposed use of the land is considered to create conditions which are visually out of keeping with this Green Belt setting and detrimental to the character and appearance of the locality. The proposal will also increase vehicle trips to the site and put more pressure on the immediate road network and increase the risks associated with the narrow access contrary to Policy DC32 of the Council's DPD.

On this basis, the subject application is not considered to be consistent with Policies DC45 and DC32 of the Core Strategy and Development Control Development Plan Document 2008, or with the National Planning Policy Framework 2012. Refusal is recommended.

RECOMMENDATION

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

1. Reason for refusal - Metropolitan Green Belt

The subject application is not considered to be acceptable in principle, as it conflicts with the purposes of including land within it. The use of the proposal is deemed to be an inappropriate form of development within the Green Belt in accordance with Policy DC45 of Council's DPD, and there are no very special circumstances which would warrant its approval under Policy 9 of the NPPF.

On this basis, the subject application is not considered to be consistent with Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document 2008, or with the National Planning Policy Framework 2012.

2. Refusal non standard Condition

The proposed development by reason of the increase in trip movement, combined with the existing access arrangement 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, contrary to the provisions of Policy DC32 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. Refusal - No negotiation

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 8th December 2016

| | | |
|------------------------|--|--|
| APPLICATION NO. | P0272.16 | |
| WARD: | South Hornchurch | Date Received: 3rd October 2016 Expiry Date: 2nd January 2017 |
| ADDRESS: | Frog Island Ferry Lane Rainham | |
| PROPOSAL: | Proposed new office and workshop building | |
| DRAWING NO(S): | Proposed Industrial Building - Drawing No. W/3497/16/PL-01 Revision B Site Plan and Location Plan - Drawing No. W/3497/16/PL-02 Revision E Proposed Industrial Building Elevations - Drawing No. W/3497/16/PL-03 Revision B | |
| RECOMMENDATION | It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report | |

SITE DESCRIPTION

The application site is located in the south of the Borough in Rainham. The application site forms part of Frog Island, to the south of Ferry Lane, which is reclaimed marsh land, in between Rainham Creek and the River Thames.

The site is currently in use as a depot for a aggregate/construction management company who operate from a number of temporary modular buildings and use a large part of the site for parking and storage. There is only a limited planning history for this site on file and staff have been able to find any formal planning permission for such activities to occur on-site. That being said, the site does form part of a strategic industrial location / designation within the Proposals Map accompanying the LDF and aerial photography suggests the site has previously been in a range of industrial and storage and distribution uses. Within strategic industrial locations B1, B2 and B8 uses are generally considered to be acceptable.

The site is not designated for any landscape or ecological merit at local, national or international level and the area in general has an industrial appearance and feel, representative of the designation in the Proposals Map. The application area does however form part of the outer Ingrebourne Marshes SSSI Impact Risk Zone. The site, to confirm, also forms part of Flood Zone 3 and is noted as being potentially contaminated.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the erection of an office and workshop building. The building would be two storeys and comprise two main parts: a two storey office; and an open, full-height workshop area for the storage and maintenance of plant.

The building is proposed to be located adjacent to Ferry Lane, orientated to largely match the direction of the road. The building is proposed in metal cladding, goosewing grey in colour, with a pitched roof, 6m to eaves and 8.5m to ridge. The building would be supported by windows on all elevations, primarily of three-pane formation to match the horizontal fenestration prevalent on

many of the industrial buildings nearby. Five double-height roller shutter doors are proposed to facilitate operations, with the main pedestrian building entrance on the south-western facing elevation. Roof lights are proposed to facilitate further light into the building.

44 parking spaces are proposed as part of the development inclusive of four disabled bays and four permit to work vehicles. The development is also proposed to be supported by five parking bays for HGVs and a bicycle store within a capacity of 15.

To confirm, this is an application solely for a office and workshop. The submitted application plans make no reference to areas within or outside the red line to be used for outdoor material storage, processing, distribution and/or car parking.

RELEVANT HISTORY

None.

CONSULTATIONS / REPRESENTATIONS

Anglian Water Authority - No comments received.

Environment Agency - No objection. Although the site is located within Flood Zone 3a it is protected to a very high standard by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year event. EA records nevertheless indicate that the site would be at risk if there was a breach in the defences or if they were overtopped. The proposals do have a safe means of access and/or egress although it is recommended that finished floor levels be set above the 2100 breach level which is 3.98AOD to improve flood resilience.

Essex and Suffolk Water - No objection.

Highway Authority - No objection.

London Borough of Havering Environmental Health - No objection subject to conditions covering land contamination, noise and construction management.

London Borough of Havering Lead Local Flood Authority - No objection subject to a detailed drainage scheme/strategy being secured by condition.

London Fire Brigade - No objection.

London Riverside BID - No comments received.

Metropolitan Police (Designing Out Crime) - No objection subject to conditions.

Port of London Authority - No objection.

Thames Water - No objection. It is the responsibility of the developer to make proper provision for drainage to ground, water course or a suitable sewer.

Transport for London - No objection subject to cycle and blue badge parking provision being secured by condition to the standards specified in the London Plan.

Public Consultation:

94 properties were directly notified of this application. No letters of representation have been received.

RELEVANT POLICIES

LDF Core Strategy and Development Control Policies Development Plan Document: CP3 (Employment), CP9 (Reducing The Need To Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC9 (Strategic Industrial Locations), DC12 (Offices), DC13 (Access To Employment Opportunities), 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), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations)

London Plan: 1.1 (Delivering The Strategic Vision And Objectives For London), 2.1 (London In Its Global, European and United Kingdom Context), 2.2 (London And The Wider Metropolitan Area), 2.3 (Growth Areas And Co-Ordination Corridors), 2.6 (Outer London: Vision and Strategy), 2.7 (Outer London: Economy), 2.8 (Outer London: Transport), 2.13 (Opportunity Areas And Intensification Areas), 2.14 (Areas For Regeneration), 2.17 (Strategic Industrial Locations), 4.1 (Developing London's Economy), 4.2 (Offices), 4.3 (Mixed Use Development and Offices), 4.4 (Managing Industrial Land And Premises), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.14 (Water Quality And Wastewater Infrastructure), 5.21 (Contaminated Land), 6.1 (Strategic Approach), 6.3 (Assessing Effects Of Development On Transport Capacity), 6.9 (Cycling), 6.10 (Walking), 6.11 (Smoothing Traffic Flow And Tackling Congestion), 6.12 (Road Network Capacity), 6.13 (Parking), 7.2 (An Inclusive Environment), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture), 7.7 (Location and Design Of Tall And Large Buildings), 7.13 (Safety, Security and Resilience to Emergency), 7.14 (Improving Air Quality), 7.15 (Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes), 7.19 (Biodiversity And Access To Nature), 7.21 (Trees And Woodlands), 8.2 (Planning Obligations) and 8.3 (Community Infrastructure Levy)

London Riverside Opportunity Area Planning Framework (2015)

National Planning Policy Framework and National Planning Practice Guidance

MAYORAL CIL IMPLICATIONS

The floorspace which is proposed to be created by this development would be liable for CIL. On

the basis of a rate of £20 per m², a Mayoral CIL contribution of £22,400 would be required should planning permission be granted.

PRINCIPLE OF DEVELOPMENT

Policy CP3 of the Core Strategy and Development Control Policies Development Plan Document states that a range of employment sites will be available to meet the needs of business and provide local employment opportunities by:

- Ensuring sufficient land is allocated with Strategic Industrial Locations and Secondary Employment Areas and protecting this for business, industrial and some warehousing uses.

This site forms part of a strategic industrial location. Policy DC9 of the Core Strategy states that planning permission will only be granted for B1 (b+c), B2 and B8 uses in the Rainham Employment Area, Harold Hill Industrial Estate and King George Close Estate Strategic Industrial Locations. The supporting text to this policy states that the Rainham Employment Area provides for the needs of all industrial businesses by offering a choice of small, medium and large premises and is considered to be a strategically and locally important area.

As this development proposes a building to facilitate a site use compliant with policy DC9 no principle land use objection is raised to this development coming forward.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 details that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Overall, staff are content with the proposed layout for the site and the built form along Ferry Lane. Staff note that the existing location of the access to the site and are aware that this building potentially may not represent the only aspect of development coming forward on this plot (the applicant also having a lease/ownership over the land further to the south-east down to the flood defence wall). Mindful of this staff consider the layout and orientation as logical. It is considered that the development would be sufficiently self-contained to support additional development coming forward on the site but conversely is orientated such that it has a strong relationship with Ferry Lane on its own.

With regard to design, staff consider the building in keeping with others in the vicinity. The building is considered largely non-descript but in context of the proposed use and the need for such buildings to be durable whilst flexible the rationale for this is accepted. At 8.5m in height (to roof ridge) the development is considered of a scale akin to others nearby. Given the existing land-levels of the site and the natural rise in land from Ferry Lane, the building would be visible from along Ferry Lane however it is not considered that the building would appear excessively dominant or over-bearing.

In respect of the proposed external finish staff are of the opinion that the cladding as proposed would be quite plain and could give rise to the impression of quite a large bland building from far. With regard to this, although staff note that many buildings of a similar size are clad in grey it is noted that the cladding on such buildings is of different orientations and/or depths. The application of such techniques on other buildings has been used to further define corners or entrances and generally add architectural interest without necessarily resulting in huge additional cost for the developer. Staff accept that the applicant has looked at other buildings in the locality when proposing the fenestration on the building, in an attempt to maintain or mirror the strong horizontal

glazing appearance and it is considered that fenestration proposed to some degree achieves this. That being said it is considered that by imposing a condition, should planning permission be granted, requiring the proposed external materials and application to be agreed in writing before commencement would allow the applicant to take on board comments provided in this report and duly refine the development design and appearance.

IMPACT ON AMENITY

Policy DC61, in addition to that detailed above, states that planning permission will not be granted should development result in an unacceptable amount of overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties.

This is a strategic industrial designation and in context that the proposed use represents an appropriate use within the designation it is not considered that the development would, in itself, give rise to significant amenity impacts. The scale of the built form is considered appropriate to the use and the separation distances, from neighbouring properties, would suitably safeguard against overshadowing.

As a strategic industrial location it is considered that a noise limiting condition could reduce the ability of some industrial uses to operate which overrides the principle of allocating such areas. A noise assessment has been submitted in support of this application and this predicts that upon full occupation of the site, noise levels would be lower than existing background levels, during the day and night-time, at the nearest residential property. Subject to a condition seeking the submission of a scheme for new plant and machinery to demonstrate that this would be achieved, it is not considered that the development would give rise to noise impacts at a level to warrant refusal.

With regard to air quality, an air quality assessment has been submitted with this application which concludes that whilst the construction phase of the development may give rise to fugitive dust emissions it is not considered that such impacts, through the imposition of good practice control measures would warrant further assessment or mitigation. Dispersion modelling has been undertaken, in order to quantify pollutant levels across the site, during operations, and it is not considered that any such emissions would be above relevant quality standards.

Lighting plans/strategies have not been submitted with this application. Mindful of the nearby SSSI designation and the River Thames, whilst it is not considered that external lighting would likely give rise to significant impacts it is considered appropriate to secure such details by condition, should planning permission be granted.

HIGHWAY / PARKING

As alluded previously in this report, the access off Ferry Lane is not proposed to be changed as part of this application and the Highway Authority have raised no objection to the use of this access from a safety perspective.

With regard to car parking, 44 car parking spaces are proposed as part of this development. The standard outlined for a B1 use within the Core Strategy is a maximum of 1 space per 100m² of floorspace. In view of the amount of floorspace proposed the car parking provision, in this instance, represents an over-provision. That being said it is noted that within the Core Strategy it is suggested that a degree of flexibility should be exercised within regard to employment uses and

the needs of different types and forms of development (i.e. B2 and B8 uses). TfL in their consultation response note this, and the poor PTAL in this location, and consider the proposed car parking provision acceptable. Accordingly, staff raise no principle objection to the level of car parking proposed. Staff nevertheless note comments raised by TfL with regard to disabled spaces and bicycle storage but consider such issues could be overcome by the imposition of suitable conditions to ensure that the provision proposed for disabled parking bays and bicycle parking is maintained as proposed.

In terms of the Transport Statement submitted with the application it is noted that this suggests that the site is already in use as transport depot and aggregate storage yard and makes reference to the area to the south of the application site used to park HGVs overnight. As will be noted from that detailed previously in this report staff have been unable to find a planning permission for this use, although it is accepted that the applicant may be able to demonstrate sufficient evidence to exempt this from enforcement action. Separate investigations are being pursued by the Council with regard to this use but in any respect it is not considered that the predicted level of vehicle movements associated with employees, and operations, from the office and workshop would significantly impact on highway efficiency. Although the parking of HGVs overnight and the office and workshop, to which this application relates, are intrinsically linked it is not considered that this renders this application undeterminable or that granting planning permission for the office and workshop building would prejudice the determination of any such application for parking or external storage coming forward.

OTHER ISSUES

Flood Risk & Drainage: Policy CP15 of the Core Strategy, in-part, details that new development should reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; have a sustainable water supply and drainage infrastructure; and avoid an adverse impact on water quality. Expanding on this policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Policy DC51 goes on detailing that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems unless suitable mitigation measures can be secured through conditions attached to the planning permission or a legal agreement.

A Flood Risk Assessment has been submitted with this application which is considered acceptable in principle. It is however noted that a full detailed drainage scheme has yet to be finalised and therefore such a scheme would need to be secured by condition should planning permission be granted. With regard to sustainable urban drainage, given the likely make-up of the soil sub-strata and close proximity to the River Thames and River Ingrebourne, it has been suggested that the site is unsuitable for traditional infiltration type drainage. Preliminary discussions have been undertaken with LBH as the Lead Local Flood Authority and the rationale behind this decision has been acknowledged. Subject to the applicant therefore as part of the more detailed drainage strategy being able to limit attenuation to a 1 in 1 year run-off rate it is not considered that the development would need to provide specific underground attenuation or storage.

Land Contamination: Policy DC53 of the Core Strategy states that planning permission for

development will only be granted where both of the following criteria are met:

- where the development is on or near a site where contamination is known, or expected to exist, a full technical assessment of the site's physical stability, contamination and/or production of landfill gas must be undertaken. Where the assessment identifies an unacceptable risk to human health, flora or fauna or the water environment, the applicant will be required to agree acceptable long term remediation measures before any planning permission is granted to ensure there is no future harm with regard to the future use of the site. Where feasible, on-site remediation, especially bio-remediation, is encouraged; and
- the development does not lead to future contamination of the land in and around the site.

The applicant has initially submitted a Phase I Preliminary Risk Assessment with this application and this suggests that several pollutant linkages could exist at the site. In view of this the Council's Environmental Health officer has recommended the submission of a Phase II (Site Investigation Proposal and Investigation); Phase III (Remediation Strategy) and Verification Report to demonstrate the effectiveness of any remediation required. With the aforementioned secured by condition, prior to commencement, it is considered that the Local Planning Authority, can seek to ensure the site is suitable for the proposed development and no danger exists to those involved in the construction phase of the development or the eventual occupation of the site.

Energy Requirements: Policies CP15, DC49 and DC50 of the Core Strategy supported by policies 5.3 and 5.7 of the London Plan seek to ensure an appropriate carbon reduction is achieved as part of development proposals. The London Plan requires developments to achieve a minimum 40% Carbon reduction over Building Regulations. No details have been provided as to how this development would achieve this standard and accordingly it is considered that a sustainability statement would need to be secured by condition.

Environmental Impact Assessment: The development is not representative of a Schedule 1 project as detailed within the Town and Country Planning (EIA) Regulations 2011 (as amended). However, potentially the development does fall within Schedule 2 under Paragraph 10 (Infrastructure Projects), Class b (Urban development projects including the construction of shopping centres, car parks, sports stadiums, leisure centres and multiplex cinemas). The screening threshold for such projects is the development includes more than 1ha of urban development; or the overall area of the development exceeds 5ha. In context that the aforementioned thresholds are not met by this development it is not considered that the application needs to be formally screened for EIA. In any respect, in context of the further guidance within the Planning Practice Guidance, and the above conclusions formed in the body of this report, it is considered that the development would not, in any respect, result in any impacts of more than local significance.

KEY ISSUES / CONCLUSIONS

The building proposed, as part of this application, is considered of an appropriate design, scale, mass and form and it is not considered that the development would appear out of character. It is considered that the development would improve the overall appearance of the area and allow the site to add to the strategic industrial designation.

It is not considered that the development would give rise to any significant amenity or highway impacts and as such it is considered that the development is representative of sustainable

development and it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC32 (Accordance with plans)

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

Reason:-

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

3. SC09A (Materials) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until written specification of external walls and roof materials to be used in the construction of the building, including their depth, colour, orientation and application, has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved materials and maintained thereafter.

Reason:-

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

4. SC65 (Contaminated Land) (Pre Commencement)

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

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

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and

proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

Reason:-

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.

5. SC54 (Drainage Strategy/Details) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until a drainage strategy for both surface water and foul water has been submitted to and approved in writing by the Local Planning Authority. The strategy shall detail all on and/or off site drainage and attenuation works proposed. The strategy submitted shall be supported by micro drainage calculations together with details of existing flows and any proposed future controls on flow rate. The strategy shall be implemented as approved and maintained thereafter.

Reason:-

Drainage works are required on site to prevent increased risk of flooding. Submission of a scheme, prior to commencement, will ensure that the measures to be employed are technically sound and that the development accords with the Development Control Policies Development Plan Document Policies DC49 and DC61.

6. SC11 (Landscaping) (Pre Commencement)

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 and boundary treatments, 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.

7. NSC (Energy Requirements) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until a sustainability and energy statement has been submitted to and approved in writing by the Local Planning Authority. The strategy shall provide details of how the development would meet the highest standards of sustainable design and construction and incorporate measures identified in policy 5.3 of the London Plan. The strategy shall furthermore seek to make the fullest contribution to minimising carbon dioxide emissions, including energy calculations based on the proposed site use, in accordance with policy 5.2 of the London Plan. The development shall be implemented in accordance with the approved details.

Reason:-

In the interests of sustainable development, achieving aspirations for a reduction in carbon dioxide emissions and to ensure that the development accords with policies CP15, CP17, DC49, DC50, DC52 and DC61 of the Development Control Policies Development Plan Document and policies 5.2, 5.3, 5.7 and 7.14 of the London Plan.

8. NSC (Secure By Design) (Pre Commencement)

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

Reason:-

Insufficient information has been supplied with the application to determine whether the proposals meet Secured by Design standards. Submission of such details is in the interest of crime prevention and community safety and guidance contained in policies CP17, DC49, DC61 and DC63 of the Development Control Policies Development Plan Document and policies 5.3, 7.3, 7.4, 7.5 and 7.13 of the London Plan.

9. NSC (Lighting Plan) (Pre Commencement)

No external lighting shall be erected or installed on-site until details of the location, height, design, luminance and operation have been submitted to and approved in writing by the Local Planning Authority. That submitted shall include an overview of the lighting design including the maintenance factor and lighting standard applied, together with a justification as why these are considered appropriate. The details to be submitted shall include a lighting drawing showing the lux levels on the ground, angles of tilt and the average lux (minimum and uniformity) for all external lighting proposed. Furthermore a contour plan shall be submitted for the site detailing the likely spill light, from the proposed lighting, in context of the adjacent site levels. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason:-

In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP15, CP16, CP17, DC56, DC58, DC59 and DC61 of the Development Control Policies Development Plan Document and policies 7.3, 7.4, 7.5 and 7.19 of the London Plan.

10. NSC (Noise Control/Mitigation) (Pre Occupation)

No building shall be occupied or use commenced until a details of a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, details on the operation and management of the roller shutter doors; and proposed building/noise insulation. The scheme shall be implemented as approved and maintained thereafter.

Reason:-

In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies DC55 and DC61 of the Development Control Policies Development Plan Document.

11. SC42 (Noise - New Plant) (Pre Occupation)

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

Reason:-

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

12. SC06 (Parking Provision) (Pre Occupation)

Before the building 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 at any time.

Reason:-

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

13. SC63 (Construction Methodology) (Pre Commencement)

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

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

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

Reason:-

Insufficient information has been supplied with the application in relation to the proposed

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

14. NSC (Use Class Restriction)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the development shall only be occupied by B1, B2 and B8 uses, as detailed within the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason:-

The application has been assessed in context of these suggested uses and in view that this is a strategic industrial designation it is considered appropriate to restrict the permitted uses as such. This restriction is furthermore to comply with policy DC9 of the Development Control Policies Development Plan Document. Applications for alternative uses would be considered on their individual merits.

INFORMATIVES

1. Fee Informative

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

2. Secure By Design Informative

In aiming to satisfy the secure by design condition of this permission, the applicant should seek the advice of the Police's Designing Out Crime advice service. This service is available free of charge and officers can be contacted on 02082173813 or at docmailbox.ne@met.police.uk.

3. Existing Site Use

Staff have reviewed the history of this site and have been unable to find an extant planning permission for the use of the area to the south-east of the proposed building and the red line application area, outlined in blue on drawing titled 'Site Plan and Location Plan', drawing no. W/3497/16/PL-02 (Rev E), dated August 2016. Staff note that reference within the submitted documents suggests that this area benefits from a general B1, B2 and B8 planning permission and that the activities therefore currently occurring on this area are lawful. Mindful of investigations undertaken by staff, with regard to the site history, this is questioned and is raised for consideration by the applicant as land owner/leasee. It is the opinion of staff that the current use, in any respect, goes beyond a B2 or B8 use with large stockpiles of aggregate and sand on-site together with various machinery and a screener. Furthermore, a car parking area for HGVs of this size is considered to represent a sui generis use. Noting the link between the proposed office and workshop, hereby granted planning permission, and this area particularly in terms of the overnight parking of HGVs, should the applicant seek to continue such operations, it is considered an application for planning permission would need to be sought. Without prejudice, there is no guarantee than any such application would however be permitted.

4. Approval and CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £22,400 (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.

5. 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 - 8th December 2016

APPLICATION NO. P0872.16
WARD: Romford Town **Date Received:** 3rd June 2016
Expiry Date: 29th July 2016

ADDRESS: St Cedd Hall
Sims Close
ROMFORD

PROPOSAL: Single storey extensions, dropped kerb, disabled ramp and raised decking area to rear of property with WC remodelling. Extension link between main building and outbuilding to create a reception area for Nursery - Part Retrospective

DRAWING NO(S): MGM228/05 Rev B
MGM228/06 Rev B
Site Location Plan
MGM228/08 Rev B
MGM228/07 Rev B

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

CALL-IN

The application has been called-in by Councillor Thompson on the grounds that he considers it would result in an intensification of use in a domestic situation where housing is close by and the site is not far from retirement flats that may not enjoy children playing outside. Councillor Thompson also has concerns that cars entering and leaving the site will be a source of noise and fumes to the immediately adjacent dwelling.

SITE DESCRIPTION

The application relates to the property at St Cedd Hall, Sims Close Romford. This is a detached community centre building with a lawful D1 use. The building is set back from the road with a yard and parking area to the front and grassed outdoor area and maintenance store to the rear. The site is flanked by residential properties and gardens to the south, east and west. The surrounding area is characterised by predominantly residential properties.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the erection of single storey extensions, dropped kerb, disabled ramp and also for the retention of a raised decking area to the rear of the property with internal remodelling. The proposal would also include an extension link between the main building and outbuilding to create a reception area for the nursery.

The proposed rear extension would effectively infill the south eastern corner of the building, where the site level drops away from Sims Close towards the rear boundary of the site. The extension would be 5.3 metres in depth and 7.8 metres in width incorporating a shallow sloped roof with a height of 4 metres.

The raised decking area projects 4.6 metres from the main rear elevation of the building, over a

width of 8.7 metres. The raised platform level would stand at 1.3m above the ground level at the rear of the site. It is intended that the decking would be used as an outdoor play area for the children.

RELEVANT HISTORY

- E0022.14 - Continued use of the application site including buildings within the curtilage, as a church and community centre, under Class D1 of the GPDO.
PP not required 13-03-2015
- P0466.96 - New vehicle crossover and parking area for 6 cars
Refuse 07-06-1996
- P0745.92 - Single storey shed at rear
Apprv with cons 18-09-1992

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 43 properties and representations from 4 neighbouring occupiers have been received. The objections are summarised as follows:

- Noise and disturbance.
- Increased volume of traffic and congestion.
- Lack of car parking provision and increased pressure on existing spaces.
- Risk to pedestrians.
- There is no need or requirement for an additional nursery in this area.
- Harm to residential character of the area.
- Loss of drainage and increased risk of flooding.
- Unacceptable visual impact of the extensions.

In response to the above: the site is not located within a flood zone. Issues in relation to residential amenity, the character and appearance of the surrounding area, the implications for highways and parking are discussed in the following sections of the report.

Environmental Health - no objection, subject to conditions restricting the hours of use and number of children using the outdoor areas. As discussed later in the report these conditions have not been included given the existing use of the site.

Local Highway Authority - no objection, recommended conditions in relation to dropped vehicular crossings, pedestrian visibility splays and vehicle cleansing.

RELEVANT POLICIES

LDF

- CP8 - Community Facilities
- DC11 - Non-Designated Sites
- DC26 - Location of Community Facilities
- DC33 - Car Parking
- DC55 - Noise
- DC61 - Urban Design

OTHER

LONDON PLAN - 3.17 Health and social care facilities

-

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

No payments are required under the Mayoral CIL regulations.

STAFF COMMENTS

The main considerations relate to the impact on the character and appearance of the surrounding area, the implications for the residential amenity of the neighbouring occupiers and the implications for parking, servicing and highway safety.

It should be noted that a Certificate of lawful development for a D1 use was granted at the premises in March 2015. D1 use encompasses a wide range of uses that the building could be put to without the need for planning permission. As such the use of the building as a day nursery or creche is considered to be lawful and is outside the control of the Local Planning Authority. It is not therefore open to Members to decide the acceptability of the use of the site as a day nursery, only to consider the acceptability of the proposed extensions and alterations to the building.

DESIGN / IMPACT ON STREET / GARDEN SCENE

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. New development should maintain, enhance or improve the character and appearance of the local area and should respond to distinctive building forms and complement the character of the area through its appearance, layout and integration with surrounding land and buildings.

Staff consider that the proposed side and rear extensions would be sympathetic in terms of design, scale and proportion, and visually would be absorbed into the massing of the existing building. Given the position of the extensions, and the spacing from the site boundaries the additions would result in a minimal impact on the streetscene in Sims Close and the rear garden setting of the adjacent residential properties.

The raised decking structure presents a more anomalous addition in terms of harmonising with the existing building, but on balance would not be unduly harmful to the character and appearance of the building. It would be located to the rear of the building and would not be visible from any public vantage points in the public realm and is set well away from the boundaries of the site. Timber decking structures are relatively common features in the domestic setting of residential gardens. Although this is not a domestic property, in the context of surrounding residential properties, this would not appear out of place.

Whilst it is recognised that sections of the decking structure would be visible in the rear garden environment, given the distance from the site boundaries and its position within the spacious rear grassed area, it is not considered that the structure would be overly dominant or obtrusive in this

instance.

IMPACT ON AMENITY

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

The main impact in terms of residential amenity relates to the occupants of 2 & 4 St Ives Gardens, located to the east and south of the application site respectively.

The proposed rear extension to the south eastern corner of the building would be positioned some 4.6 metres from the boundary with 2 St Ives Gardens, and would not project beyond the rear building line of this neighbouring property. Given the amount of spacing between the development and adjacent house, Staff do not consider that this element of the proposal would result in an undue loss of light or outlook from the rear garden or the ground and first floor windows in the side elevation of 2 St Ives Gardens.

The raised decking structure would be positioned some 12.5 metres from the side garden boundary with 2 St Ives Gardens, and 9 metres from the side boundary with 4 St Ives Gardens. Given the distances from the neighbouring properties staff do not consider that the decking area presents issues in relation to overshadowing or obtrusiveness.

In terms of the impact on privacy, the raised standing platform of the decking would stand at 1.3m above the ground level at the rear of the site. In order to mitigate potential privacy and overlooking issues, the proposals have been amended since originally submitted to include obscure glazed screening panels along the side and rear of the decking to prevent any outlook towards the neighbouring gardens. As a result of this measure, Staff are of the opinion that the decking area would not provide an unduly prominent vantage point which would result in overlooking or a loss of privacy to the neighbouring residents, particularly at 2 & 4 St Ives Gardens.

With regard to noise and disturbance for the surrounding residents, Members are advised that the premises is currently a community facility with a lawful D1 use. This would permit other uses within this use class at the site aside from a day nursery, including a health clinic, place of worship, church hall or a creche. There are also no restrictions on the hours that a use of this nature could operate or numbers of people attending the facility. This could, for example, mean that the premises could operate during evenings and at weekends as a meeting hall or community centre, amongst other things. In this context, it may be considered that use as a day nursery would have some advantages in that they tend to operate midweek during daytime hours.

The use of the premises as a day nursery does not require planning permission and, as such, the garden to the rear of the premises can already be used as an outdoor play area, without restrictions on operating hours or the number of children. Staff are of the opinion that the decking structure would actually serve to contain some of the outdoor play to the areas immediately adjacent to the rear of the main building, rather than spreading across the rear garden to areas closer to the boundary with the neighbouring residential properties. The additional privacy

screening panels would prevent overlooking to neighbouring properties and would also help to dissipate noise. Staff have given consideration to imposing restrictions on the hours of use of the decking area and numbers of children that could use it at any given time. However, mindful of the fact that the restriction would not apply to the other outdoor areas of the site it is not judged that this would be a reasonable or effective control measure.

In terms of considering the impact of the extension and the decking, it is not judged in the context of the lawful use, that this would create conditions materially harmful to residential amenity over and above what can already take place on the site. Consequently it is judged that there are no material grounds to refuse the application on the basis of impact on the amenity of the surrounding residential properties in accordance with policy DC61.

HIGHWAY / PARKING

The application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 6a, meaning that the site offers a very good degree of access to surrounding public transport. Therefore limiting the requirement for off street car parking provision.

The maximum parking standard for a D1 use is 1 space per member of staff, plus an area for dropping off. The application site currently provides 5 staff car parking spaces and an off-street parent drop off area. An additional drop kerb crossing and gated access has been installed adjacent to the eastern boundary enabling access to the dedicated staff car parking area, improving the functionality of the site in terms of off-street parking.

Notwithstanding that the use of the existing premises as a day nursery does not require planning permission, Staff consider the proposals would not materially alter the acceptability of the existing parking and drop off arrangements for the community facility and the Local Highway Authority have raised no objection to the proposal. Therefore the car parking and access arrangements are considered to be acceptable.

KEY ISSUES / CONCLUSIONS

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

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

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

RECOMMENDATION

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

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

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

Reason:-

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

2. SC32 (Accordance with plans)

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

Reason:-

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

3. SC09 (Materials) (Pre Commencement Condition)

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

Reason:-

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

4. SC06 (Parking provision)

Before the extensions and alterations hereby permitted are first used, the area set aside for car parking and the drop off arrangements as indicated on drawing no. 'MGM228/05 Rev B' 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.

5. Decking Screening Panels

Prior to using the decking area the obscure glazed screening panels as indicated on drawing no. 'MGM228/07 Rev B' and 'MGM228/08 Rev B' shall be installed to the full satisfaction the Local Planning Authority. Following installation, the screening panels shall remain in place permanently.

Reason:-

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

INFORMATIVES

1. Approval following revision ENTER DETAILS

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 Saddam Kurd, via email and telephone. The revisions involved the installation of obscure glazed screening panels to the decking area. The amendments were subsequently submitted on 7/11/16.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 8th December 2016

APPLICATION NO. P1165.16
WARD: Heaton
ADDRESS: 27 Lewes Road
Romford
PROPOSAL: proposed conversion of existing dwelling into 5 bedroom HMO with independent w/c within each bedroom. Shared kitchen and ground floor w/c
DRAWING NO(S): SP1629SK3
SP1629SK2
SP1629SK1
RECOMMENDATION It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The application site lies on the southern side of Lewes Road, Romford, and is comprises of a two storey mid-terrace residential dwelling. The surrounding area is characterised by predominantly two storey terraced and semi-detached residential dwellings.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the proposed conversion of the existing dwelling into a 5 bedroom HMO. Each bedroom has an en-suite bathroom and there is a shared kitchen and ground floor w.c and shower room. There is no shared living accommodation.

On-site parking spaces will be provided for 2 vehicles and 5 cycles to the front and rear of the property respectively. Refuse storage would be provided to the front of the property.

RELEVANT HISTORY

CONSULTATIONS / REPRESENTATIONS

18 neighbouring properties were consulted and nine letters of objection were received with detailed comments that have been summarised as follows:

- Parking, traffic, access and congestion.
- Lewes Road is too narrow for vehicles to park on both sides of the road.
- Existing parking issues from the nursery and Ingrebourne children's centre in Ashbourne Road.
- Noise and disturbance.
- Impact on residential amenity, including quality of life.
- The number of people living in one house.
- Litter.
- Maintenance of the property.
- Safety issues including fire hazards from the number of appliances in each room.

- Issues and anti-social behaviour from other HMO properties in the surrounding area, many of which are unlicensed.
- The proposal is not in keeping with neighbouring properties, which are mainly family homes.
- Anti-social behaviour, security and crime.
- Overdevelopment of the site.
- Would set an undesirable precedent.
- Impact on community relations.
- Health and safety.
- Concerns regarding the siting of the cycle storage, including loss of privacy, noise, disturbance, hindering access to and from the rear of the property and the increased use of the communal alleyway.
- Damage to neighbouring property and vehicles.
- Loss of privacy.
- The increased use of the communal alleyway.
- Intensification of use of the property.
- The siting, size and smells of the refuse bins.
- Noise and disturbance from the internal building work.
- Queried working hours of the builders.
- Sewerage issues.
- Overlooking.
- Potential high turnover of occupants.
- There is no communal lounge, which would increase the noise and disturbance from occupants and visitors using the rear garden.
- Suggested that the Council investigates the impact of HMOs on the community.
- The proposal is contrary to policy.

In response to the above, comments regarding the maintenance of the property, safety issues and damage to neighbouring property and vehicles are not material planning considerations. Each planning application is determined on its individual planning merits. The hours of construction can be secured by condition if minded to grant planning permission. Comments regarding sewerage are not a material planning consideration. The Council has taken various steps to bring in tighter controls and continues to deal with HMOs in a way which balances the benefit which properly run premises bring for the housing needs of the borough but making sure that problem premises are suitably tackled. The remaining issues will be addressed in the following sections of this report.

StreetCare Department - A communal bin store is required with a capacity of 1100 litres for refuse and 360 litres for recycling.

Fire Brigade - No additional fire hydrants are required. The Fire Brigade is satisfied with the proposals.

Highway Authority objects to the proposals. The site has a PTAL of 1b (very poor), which attracts a maximum parking policy standard of 2 parking spaces per habitable room. The proposal is for 5 rooms with two car parking spaces, which is considered to be a shortfall and this would lead to an overspill on an area already heavily parked with narrow streets contrary to Policy DC33.

Environmental Health - No objections or comments regarding the proposal in terms of noise.

RELEVANT POLICIES

LDF

- CP17 - Design
- DC04 - Conversions to Residential & Subdivision of Residential Uses
- DC05 - Specialist Accommodation
- DC33 - Car Parking
- DC35 - Cycling
- DC55 - Noise
- DC61 - Urban Design
- SPD09 - Residential Design SPD

OTHER

- LONDON PLAN - 6.13 Parking
-
- LONDON PLAN - 7.1 - Building London's neighbourhoods and communities
- LONDON PLAN - 7.2 - An inclusive environment
- LONDON PLAN - 7.4 - Local character
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not liable for Mayoral CIL.

STAFF COMMENTS

The main issue in this case is the principle of development, impact on neighbouring amenity and parking and highway issues.

PRINCIPLE OF DEVELOPMENT

Policy DC4 of the LDF relates to conversion to residential use and subdivision of residential uses. Specifically in relation to conversion to residential communal uses (including houses in multiple occupation) it states the following requirements:

- The original property is detached and well separated from neighbouring dwellings.
- The nature of the new use does not have an adverse impact on the surrounding area and will not be likely to give rise to significantly greater levels of noise and disturbance to occupiers of nearby residential properties than would an ordinary single family dwelling
- It satisfies policy DC5.

It is considered that the proposal is contrary to Policy DC4 as the proposal relates to a two storey mid-terrace property and abuts other terraced neighbouring properties. Staff consider that the proposal, which provides accommodation for up to 7 unrelated individuals would be likely to give rise to an intensity of use and levels of related activity, comings and goings that would be likely to be beyond that associated with a single family dwelling house, creating conditions detrimental to neighbouring residential amenity and would therefore be unacceptable.

In terms of Policy DC5, the proposals does meet some of the criteria. Issues covered by Policy

DC5 relating to amenity impacts and parking issues are covered later in this report.

DESIGN / IMPACT ON STREET / GARDEN SCENE

It is considered that the proposal would not adversely affect the streetscene, as no external changes are proposed.

IMPACT ON AMENITY

There is no shared living space for an HMO with seven occupants. However, each property has its own w.c. and shower facilities and there is a shared kitchen of a reasonable size. Staff therefore consider, as a matter of judgement, that the HMO provides a further type of housing choice, which potential residents may decide if it is suited to their needs. The nature of the accommodation is not therefore judged to be so poor as to constitute an unacceptable form of living accommodation for prospective occupiers.

The site provides a communal rear garden area. Staff consider that it is of reasonable size and suitably private and would function as an acceptable amenity space. The amenity space is directly accessible to residents through the communal kitchen.

Future occupants would have access to local shops and services at Noak Hill Road and Whitchurch Road Minor Local Centre. However, the site is not well served by public transport and has a low PTAL rating of 1b.

Staff consider that converting a three bedroom, single family dwelling into a five bedroom, seven person HMO would however greatly intensify the use of the building. The site is situated in a residential area and it is judged that occupation by up to seven unrelated individuals has the potential to generate significantly higher levels of general activity and related noise and disturbance than if it were used as a single family home. Given also the terraced nature of the property, this is likely to be particularly noticeable to occupiers of neighbouring property. As the property has no communal living area, occupiers of the premises would rely on their individual rooms for day to day relaxation, such as listening to music or watching tv, this also generates potential for noise disturbance to neighbouring residents, particularly on the upper floor where the rooms adjoin neighbouring bedrooms.

Officers consider the proposed use would be likely to materially intensify activity at the site with the potential to cause significant harm to residential amenity from noise, disturbance and activity, including the use of the outdoor communal amenity space contrary to Policies DC4, DC5 and DC61 of the LDF.

HIGHWAY / PARKING

Policy DC2 and Annex 5 of the LDF Development Control Policies DPD indicate that HMOs are expected to provide 1 space per two habitable rooms. The proposed HMO would therefore be expected to provide 3 parking spaces. The proposal would provide 2 parking spaces and five cycle hoops to the front and rear of the site respectively. The Highway Authority objects to the proposals. The site has a PTAL of 1b (very poor) and the area is already heavily parked with narrow streets. The provision of only two parking spaces to serve the development is likely to create conditions that result in additional demand for on street parking that cannot be easily accommodated without

adverse impact on the highway. contrary to Policy DC33.

KEY ISSUES / CONCLUSIONS

It is considered that the proposal is contrary to Policy DC4, as the proposal relates to a two storey mid-terrace property and abuts other terraced neighbouring properties. Staff consider that the proposed HMO, which provides 5 bedrooms and could accommodate up to seven unrelated individuals, would give rise to a material increase in activity and associated comings and goings, which would create conditions detrimental to residential amenity. The impact would be particularly noticeable given the mid-terraced nature of the dwelling.

The intensification of the site would result in an unacceptable impact on neighbouring residential occupiers in terms of noise and disturbance.

The proposal does not meet the on-site parking standard and would lead to an overspill onto an area that is already heavily parked with narrow streets contrary to Policy DC33.

The proposal is therefore considered to be contrary to policy and it is recommended that planning permission is refused.

RECOMMENDATION

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

1. Reason for refusal - Impact on amenity

The proposal would, by reason of the intensification of the site, cause significant harm to residential amenity from noise, disturbance and activity, including that associated with the use of the communal amenity space contrary to Policies DC4, DC5 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

2. Reason for refusal - Parking Deficiency

The proposed development would, by reason of an unacceptable shortfall in on-site parking provision, result in significant harm to local on-street parking conditions due to overspill parking contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. Refusal - No negotiation ENTER DETAILS

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to Mr Michael Breden via email on 24th November 2016.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 8th December 2016

| | | |
|------------------------|--|--|
| APPLICATION NO. | P1210.16 | |
| WARD: | Brooklands | Date Received: 10th August 2016 Expiry Date: 5th October 2016 |
| ADDRESS: | Unit 4b Bernard Road ROMFORD | |
| PROPOSAL: | Retrospective Change of Use from a light industrial unit to an administration office with ground floor vehicle storage area. | |
| DRAWING NO(S): | Existing and proposed block plan (scale 1:200) Existing and proposed upper level floor plan Existing and proposed ground floor plan Block/site plan (Scale 1:500) | |
| 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 of unit 4b, which is located in the middle of seven adjoining light industrial units located on the western side of Bernard Road, Romford. The premises are occupied by 'The Havering Carriage Company Ltd'. The site is located within a Secondary Employment Area near Crow Lane. The surrounding area comprises of light industrial units. There are two blocks of flats, Lambert Court, to the south of the site, beyond the industrial units.

DESCRIPTION OF PROPOSAL

The application seeks retrospective planning permission for a change of use from a light industrial unit to an administration office with a ground floor vehicle storage area, which commenced in July 2016.

Havering Carriage Company occupies the premises and is a pre-booked chauffeur-driven executive car service (not a mini cab firm). There are three permanent members of staff in the office between 08.00-18.00 Monday-Friday, and one member of staff is on site on a Saturday morning. Clients and members of the public do not visit the premises. No vehicles operate from the site, as every vehicle is assigned to a specific driver, who keeps the vehicle for 24 hours a day throughout their employment with the company. Each driver is assigned their work by email on the day before the booking is due to take place, and they make their way from home the following morning and evening. Drivers visit the office very infrequently if they need to collect something (e.g. a new fuel card) or to hand something in (personal items that a client has accidentally left in the vehicle).

The day-to-day running of the business consists of two or three administration assistants on site, entering bookings onto our dispatch system, as well as dealing with other general office duties (invoicing, customer services, stock control, quotes and tenders, filing). All bookings are received by email or fax and the company always has at least 12 hours' notice from their clients - often much more. The company does not receive any short notice requests and do not get any passing

trade. The majority of their clients are American, so the bookings arrive overnight via email and are dealt with the following morning during our office hours.

The ground floor storage area is used to store up to four spare cars. Spare cars are defined as any vehicle which does not have an assigned driver. There are currently two spare vehicles and these are not currently assigned to drivers as clients only request these vehicles infrequently and it is currently not cost-effective to assign them to permanent drivers. There are a few spare vehicles when a driver is on holiday or if a driver resigns and a replacement is sought. Overall, the vehicles are all in the possession of the drivers at all times.

RELEVANT HISTORY

It is understood the applicant previously had use of premises in Hornchurch Road, Hornchurch (approved in 2003 under application reference P1345.03).

- P1237.16 - Retrospective change of use from a light industrial unit to an administration office with ground floor vehicle storage area
Withdrawn - Invalid 08-08-2016
- D0248.16 - Certificate of Lawfulness for the proposed change of use to
Withdrawn - Invalid 20-07-2016
- P1596.88 - Change of use to Class B1 Business use
Withdrawn 04-01-1991

CONSULTATIONS / REPRESENTATIONS

Neighbour notification letters were sent to 18 neighbouring occupiers. The application has been advertised in a local newspaper and by way of a site notice, as the application does not accord with the provisions of the development plan. No letters of representation were received.

Environmental Health Department - no objections or comments in relation to land contamination or noise matters.

The Highway Authority has no objection to the proposal.

RELEVANT POLICIES

Policies DC10 (Secondary Employment Areas), DC33 (Car Parking), DC55 (Noise) and DC61 (Urban Design) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Planning Advice Note: Havering is 'open for business' - proposals for business and employment uses within industrial areas.

Policy 4.1 (Developing London's economy), 4.4 (Managing industrial land and premises), 6.13 (Parking), 7.4 (Local character) of the London Plan are relevant.

Chapters 1 (Building a strong, competitive economy) and 7 (Requiring good design) of the National Planning Policy Framework is also relevant.

MAYORAL CIL IMPLICATIONS

This application is not liable for Mayoral CIL.

STAFF COMMENTS

The main issues in this case are the principle of the change of use, the impact on the streetscene and neighbouring amenity and any highway and parking issues.

The application is brought before committee as it represents a departure from the development plan.

PRINCIPLE OF DEVELOPMENT

The application site is located within a Secondary Employment Area. Policy DC10 states that planning permission for B1 (b) (c), B2 and B8 uses will be granted within Secondary Employment Areas provided that they do not adversely affect the amenity of adjoining residential areas.

Planning permission for other uses will only be granted in exceptional circumstances. In these cases the applicant will need to demonstrate that:

- the site is not needed to meet future business needs with regard to the difference between the current supply of employment land and the demand for employment land over the plan period
- the site is not considered fit for purpose when assessed against the economic, planning and property market criteria provided in Appendix A of Havering's Employment Land Review 2006.
- the site has proved very difficult to dispose of for B1 (b) (c), B2 and B8 uses.

The Planning Advice Note Havering is 'open for business' sets out the Council's approach to proposals for business and employment uses (non-industrial) within the Borough's designated industrial areas. The guidance establishes a more flexible approach than is currently set out in Havering's adopted planning policies in recognition of the Council's commitment to supporting business growth and developing a strong and prosperous economy, which provides employment opportunities for local residents and the investment of businesses. The Planning Advice Note sets out the considerations that will be taken into account by the Council when considering a planning application for a business use within a designated industrial area. The considerations are as follows:

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

Prior to occupying the application site, Havering Carriage Company was formally located at 319a Hornchurch Road, Hornchurch, for 15 years so has been a long term employer within the Borough. The expansion of the company facilitated the requirement for larger premises.

The contribution to Havering's economy is as follows. There are four full time administration staff, five full time drivers living in the borough and a further 21 full and part time drivers living in adjoining boroughs. The offices are cleaned by Gems Cleaning Contractors, based within the borough. Valeting is continually carried out on the company vehicles by Wayne's Wash, another contractor within the borough. Regular maintenance on the vehicles is also required and usually undertaken locally.

Staff consider that despite not being an industrial use, the site does provide a number of jobs and, based on information from the applicant, this does include employment for local people. Given that the business has been operating for a number of months and is a relatively small unit, Staff do not consider it reasonable or necessary to secure a legal agreement to encourage apprenticeships for local residents together and are satisfied that the use provides a reasonable degree of local employment opportunities.

2. There should be clear demonstration and evidence of vacancy.

In this instance, the applicant has provided the following supporting information. Evidence has been supplied to show that the property was marketed as a light industrial unit for almost two and a half years from 23rd January 2013 until the applicants purchased it in June 2015, although the property was not vacant during this time. Prior to the applicant acquiring the site, the premises were previously occupied by a building management property company entitled 'Bars Property Maintenance Ltd' who utilised the office space and used the ground floor to store vehicles, similar to the applicant's current use of the premises. Prior to the occupation of Bars Property Maintenance, the property was occupied by 'Clement Bros Ltd' - main Mercedes Dealers, who used the building for the storage of Mercedes cars.

The evidence supplied is not particularly comprehensive and does not fully meet the criteria in the Planning Advice Note. Members may accordingly take the view that the case has not been made sufficiently strongly to justify an exception to policy. However, Staff have no reason to disbelieve the information given about previous occupants of the unit and judge, on balance, there is a significantly different impact on available industrial floorspace compared to the situation that existed previously.

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

Conditions have been placed restricting the use to an administration office with a ground floor vehicle storage area and to secure personal permission for the applicant, which accords with the Planning Advice Note.

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

In this instance, the site is located within a Secondary Employment Area.

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

The proposal is assessed against these criteria in the following sections of this report.

The proposal is contrary to Policy DC10 and, principally in respect of marketing information supplied, does not clearly meet the requirements of the Planning Advice Note. Members may therefore judge that the case for departure has not been satisfactorily made.

However, Staff consider there is some evidence of marketing and that it seems the building has not in recent times been in industrial use. The use of the premises does provide employment opportunities and, on balance, Staff consider that there are sufficient grounds to merit approval of the application.

DESIGN / IMPACT ON STREET / GARDEN SCENE

There are no external changes to the building.

IMPACT ON AMENITY

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

The nearest residential properties at No.'s 9 and 10 Lambert Court are located approximately 34 metres from the southern boundary of the application site. While it is a matter of judgement, occupiers of residential properties close to light industrial units within a secondary employment area would not expect the same level of amenity which would be expected in a quiet residential-only street.

Staff consider that the retrospective change of use from a light industrial unit to an administration office with a ground floor vehicle storage area has not adversely affected residential amenity, given the nature of the current use. Three members of staff utilise the office between 08.00-18.00 Monday-Friday, and one member of staff is on site on a Saturday morning. Clients and members of the public do not visit the premises and there is no passing trade. No vehicles operate from the site, as every vehicle is assigned to a specific driver, who keeps the vehicle in their possession. Drivers only visit the office very infrequently. The ground floor storage area is used to store up to four spare cars. Given the above factors, Staff consider that change of use does not generate significant levels of activity or pedestrian and vehicular movements within the site and as such, is not harmful to residential amenity. In addition, Staff consider that the change of use does not adversely affect the existing industrial uses in the local area.

HIGHWAY / PARKING

The ground floor storage area is used to store up to four spare cars, which do not have a designated drive and are only used infrequently. There is space for two vehicles on hardstanding to the front of the site. The Highway Authority has no objection to the proposal. Given that no vehicles operate from the site, Staff consider that there are no highway or parking issues as a result of the retrospective change of use.

KEY ISSUES / CONCLUSIONS

The proposal does not fully comply with Policy DC10 or the Planning Advice Note. However, based on the information submitted with the application, Staff consider on balance that the proposal does not result in material harm to the supply of industrial accommodation within the Borough and is satisfied makes an acceptable contribution to the local economy and employment within the borough. There are no external changes to the building and the change of use is not considered to be harmful to residential amenity. Staff consider that the change of use does not adversely affect the existing industrial uses in the local area. There are no highway or parking

issues. It is recommended that planning permission is approved subject to conditions.

RECOMMENDATION

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

1. 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.

2. SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 19:00 on Mondays to Fridays and between 08:00 and 17:00 on 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.

3. SC19 (Restricted use)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be for an administration office with a ground floor vehicle storage area and shall be used for no other purpose(s) whatsoever unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

4. SC21 (Personal permission)

The permission hereby granted shall be personal to Mr Peter Turner and shall not enure for the benefit of the land or any other person.

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 Policies DC10 and DC61 and the Planning Advice Note: Havering is 'open for business'.

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 - 8th December 2016

APPLICATION NO. P1418.16
WARD: Romford Town **Date Received:** 7th September 2016
Expiry Date: 12th December 2016

ADDRESS: Unit 12 a and 12 b
The Brewery
Romford

PROPOSAL: Change of use of Unit 12b from A1 (retail use) to A3 (restaurant use) together with external alterations to provide new entrance doors to Unit 12a and 12b

DRAWING NO(S): A-PL054 Rev A
A-PL-020 Rev A
A-PL-120 Rev B
A-PL-121 Rev B
A-PL-122 Rev B

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

SITE DESCRIPTION

The subject site is located in The Brewery shopping centre with a frontage to Brewery Walk and is located in the retail core of Romford town centre. The site faces the car parking area. While the surrounding area is retail in nature there are residential buildings to the north of the site.

The site currently comprises two units - Unit 11 (Thomas Cook) and Unit 12 (formerly Brantano shoes but now vacant). There is an existing planning permission that would see these units subdivided into three units (12 A, 12B and 11) and part change of use into a restaurant.

DESCRIPTION OF PROPOSAL

Change of use of unit 12B from A1 (retail use) to A3 (restaurant use) together with external alterations to provide new entrance doors to units 12a and 12b.

RELEVANT HISTORY

Units 11 and 12 The Brewery, Romford

P1828.15 - Change of use from A1 to A1 and A3 together with external alterations to provide new shop fronts - Approved.

Unit 11 The Brewery, Romford

P0704.16 - Installation of mechanical extract ventilation system - Approved.

CONSULTATIONS / REPRESENTATIONS

A total of 48 consultation letters were sent out as part of the planning application process. The application has been advertised in a local newspaper and by way of a site notice, as the application does not accord with the provisions of the development plan. No representations had

been received at the time of writing this report.

Highway Authority - No objection.

Environmental Health - No comments/objections in relation to air quality or contaminated land for this application. Recommend various conditions regarding plant and machinery, odours and noise and vibration.

RELEVANT POLICIES

LDF

| | |
|---------|--------------|
| CP04 - | Town Centres |
| CP17 - | Design |
| DC55 - | Noise |
| DC61 - | Urban Design |
| ROM10 - | Retail Core |
| ROM12 - | The Brewery |

OTHER

| | |
|---------------------|---|
| LONDON PLAN - 4.7 - | Retail and town centre development |
| LONDON PLAN - 4.8 - | Supporting a successful and diverse retail sector |
| LONDON PLAN - 7.4 - | Local character |
| LONDON PLAN - 7.6 - | Architecture |
| NPPF - | National Planning Policy Framework |

MAYORAL CIL IMPLICATIONS

The proposal is not liable for CIL as it does not result in any increase in the gross floor area.

STAFF COMMENTS

The issues arising from this application are the effects of the development on the town centre and on the surrounding environment, including any amenity or highway impacts.

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

PRINCIPLE OF DEVELOPMENT

The site is located within the Retail Core of Romford town centre and is subject to planning policies set out in the Romford Area Action Plan.

Policy ROM10 of the Romford Area Action Plan DPD states that service uses (A2, A3, A4, A5) will be permitted within the retail core only where the following criteria are met:

- The use provides a service appropriate to a shopping area;
- The proposal will not result in a group of three or more adjoining A2-A5 uses;
- Not more than 15% of the length of the relevant frontage will be in non-retail use following implementation of the proposal; and

· An active frontage is maintained and the use is open for a significant number of core retailing hours.

In this regard, the proposed change of use would provide a service appropriate to a shopping area.

Planning permission was granted for a change of use from A1 to A3 for units 11 and 12 under application P1828.15. This would also have included the subdivision of unit 12 into two units - 12A and 12B (with 12 B remaining in A1 retail use), technically creating a third unit. Therefore, the proposed change of use would now result in a group of three or more adjoining A2-A5 uses, which comprise of the application site at 12B and those units at 12A and 11, which have consent for A3 use. This would be contrary to Policy ROM10.

In determining the relevant frontage for the purposes of the above, it is considered that the frontage begins at unit 14a - 'Dulce cakes and food' and ends at 'Starbucks' at unit 8b The Brewery. This frontage has a total length of approximately 386 metres.

There are 9 units within this parade. The two non-retail uses comprise units 11 and 12A The Brewery (both with A3 consent but not yet implemented) and the application site at unit 12B The Brewery.

These three non-retail uses including the proposed change of use at unit 12B The Brewery with a combined frontage measuring 39 metres, would result in 10% of the total length of the parade in non-retail use, which would be within the 15% given in policy.

Although the proposal would result in three adjoining A2-A5 uses which is contrary to Policy ROM10, this situation is largely brought about by the creation of an additional unit (12B). Staff consider that the change of use from A1 to A3 would provide services appropriate to the retail core of Romford Town Centre and therefore would contribute to the vibrancy and vitality of the locality. Policy ROM10 seeks to ensure that an active frontage is maintained and the use is open for a significant number of core retailing hours. In this instance, the proposed opening hours are between 11am to 11pm every day and Staff are of the view that the proposal would maintain an active shop front and contributes to pedestrian flows. The proposal is not considered to result in an over-concentration of non-retail uses within the Brewery and may also encourage the bringing back into use of Unit 12 (12A & B in the current proposal), which is currently vacant. It is also noted that policy ROM8 seeks to diversify the daytime and evening economy of Romford. It is considered a proposed restaurant use would be in line with the general aims of this policy.

DESIGN / IMPACT ON STREET / GARDEN SCENE

It is considered that the external alterations to provide new entrance doors to units 12a and 12b would integrate satisfactorily with the streetscene.

IMPACT ON AMENITY

The proposed opening hours for the A3 use are between 11am to 11pm every day. Staff consider it reasonable to secure opening hours from 8am to 11pm every day by condition, as this is not judged to be harmful to residential amenity.

It is considered that the proposal would not adversely affect residential amenity given the separation distance between the application site and neighbouring properties. Furthermore, the unit does not face onto any residential properties and much of the pedestrian movement will be to and from the adjoining car park which will have limited impact on the nearest residential properties.

If granted planning permission, conditions from Environmental Health will be placed in respect of noise and smell. Subject to this, it is considered that the proposed change of use would not result in a significant loss of amenity to neighbouring properties and is compliant with Policy DC61 and with relevant conditions will comply with Policy DC55 of the LDF Development Plan Document.

HIGHWAY / PARKING

The Highway Authority has no objection to the proposal. There are existing car parks at the Brewery and this is a town centre location. There are no highway grounds to refuse planning permission for the proposed change of use of an existing unit.

KEY ISSUES / CONCLUSIONS

Although the change of use is contrary to Policy ROM10, it is considered that the proposed A3 use would provide services appropriate to the retail core of Romford town centre and would therefore contribute to the vibrancy and vitality of the locality. It is considered that the use would not be detrimental to neighbouring amenity and there are no justifiable highway grounds for refusal. It is recommended that planning permission is granted.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. 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. SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 23:00 every day 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.

4. SC58 (Refuse and recycling)

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

Reason:-

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

5. Scheme for control of noise (Pre Commencement Condition)

Before the development hereby permitted commences details of a scheme shall be submitted to and approved in writing by the local planning authority which specifies the provisions to be made for the control of noise emanating from the site. Such scheme as may be approved shall be implemented prior commencement of the use and thereafter retained in accordance with such details.

Reason: To prevent noise nuisance to adjoining/adjacent properties.

6. Scheme for plant or machinery (Pre Commencement Condition)

Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining/adjacent properties.

7. SC50 (Extract ventilation for A3 uses) (Pre Commencement)

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

Reason:-

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

8. Noise & vibration scheme (Pre Commencement Condition)

Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: Insufficient information regarding the impacts of noise and vibration from equipment

has been submitted with the application. Submission of this detail prior to commencement of use will protect the amenity of occupiers of nearby premises

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. Fee Informative

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

3. Non Standard Informative 1

The odour nuisance risk should be estimated using the DEFRA guide Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Department for Environment, Food and Rural Affairs, January 2005) (see attached)

The odour control equipment should meet the standards of HVCA "Specification for Kitchen Ventilation Systems" DW172.

4. Non Standard Informative 2

The applicant is advised to have regard to the following guidance provided in:

- The Food Industry Guides to Good Hygiene Practice:
 - Workplace, Health, Safety and; Welfare Approved Code of Practice L24 ISBN 0-7176-0413-6 available to order from book shops.
- Further information is available at the following web sites:
- Food safety - www.food.gov.uk/foodindustry/
 - Occupational safety & health - www.hse.gov.uk

Applicants have found it beneficial to consider the items below before final detailed plans are produced

- 1.provision of suitable outside bin storage
- 2.provision of a grease trap on the foul drainage
- 3.proper storage and disposal of waste oil
- 4.vehicle and pedestrian routes when loading and unloading
- 5.vehicle and pedestrian routes for customers

Finally, food premises must be registered with us at least 28 days before opening. It is an offence for premises to trade without registration. A registration form is available from our office or at our web site:
online.havering.gov.uk/officeforms/licence_food_business.ofml .

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 8th December 2016

APPLICATION NO. P1430.16
WARD: Squirrels Heath **Date Received:** 23rd September 2016
Expiry Date: 18th November 2016

ADDRESS: 587 Upper Brentwood Road
Romford

PROPOSAL: Demolition of existing property and construction of new dwelling and physiotherapy practice (D1 use) to part of the ground floor together with associated parking.

DRAWING NO(S): Site Location Plan
KS1509511/01 REV A
KS1509511/02
KS1509511/03
KS1509511/04
KS1509511/05
KS1509511/06

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

CALL-IN

This application has been called-in to committee by Councillor Melvin Wallace as he believes that the current bungalow on this site is an eyesore and the proposed development would enhance the area and add a new business to Gidea Park.

SITE DESCRIPTION

The application relates to the property at 587 Upper Brentwood Road, Romford. This is a detached bungalow located on the junction of Upper Brentwood Road and Main Road. The dwelling is set out with a double driveway onto Upper Brentwood Road and a front/ side garden are fronting onto Main Road.

The site is located within the Gidea Park Special Character Area and opposite to the Upper Brentwood Road Minor Local Centre, but is not included in this classification.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the demolition of the existing property and the construction of a new two-storey building comprising a physiotherapy practice (D1 use) to the front part of the ground floor, and a three-bedroom dwelling occupying the ground floor rear and first floor areas of the building.

The front/ side garden area would be paved over to form a car park providing 6no. off-street car parking spaces (including 1no. accessible bay), accessed via the existing double driveway arrangement.

The proposed physiotherapy practice would employ 2no. full time members of staff and would

operate between the hours of 7:30 to 20:00 on Monday to Friday and 10:00 to 14:00 on Saturday.

RELEVANT HISTORY

None recent.

CONSULTATIONS / REPRESENTATIONS

Neighbour notification letters were sent to 41 properties and 1 representation has been received. The comments can be summarised as follows:

- Consider adjusting the opening hours for the clinic to start at 8.30am so that there is less chance of noise and disruption early in the morning.
- Could restrictions also be placed on the hours of the construction work for the same reasons.

London Fire Brigade - no objection.

London Fire and Emergency Planning Authority - no objection.

Essex Water - no objection.

Gidea Park Civic Society - no comments on the proposed design except that the use would be un-neighbourly to adjoining occupiers.

Environmental Health - no objection, recommended conditions in relation to minimising noise and disturbance

Local Highway Authority - no objection in principle.

RELEVANT POLICIES

LDF

- CP08 - Community Facilities
- CP1 - Housing Supply
- CP17 - Design
- DC2 - Housing Mix and Density
- DC26 - Location of Community Facilities
- DC3 - Housing Design and Layout
- DC33 - Car Parking
- DC34 - Walking
- DC35 - Cycling
- DC36 - Servicing
- DC55 - Noise
- DC56 - Light
- DC61 - Urban Design
- DC69 - Other Areas of Special Townscape or Landscape Character
- DC72 - Planning Obligations
- SPD11 - Planning Obligation SPD
- SPD4 - Residential Extensions & Alterations SPD

OTHER

LONDON PLAN - 3.3 - Increasing housing supply

LONDON PLAN - 3.5 - Quality and design of housing developments

LONDON PLAN - 7.4 - Local character

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

According to the submitted CIL liability form the proposed development will create 1no. residential unit and a D1 physiotherapy facility with 260 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and would incur a charge of £5,200.00 (subject to indexation) based on the calculation of £20.00 per square metre.

STAFF COMMENTS

The main considerations relate to the impact on the character and appearance of the street scene, the implications for the residential amenity of occupants of neighbouring houses and the suitability of the proposed parking and access arrangements.

PRINCIPLE OF DEVELOPMENT

The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.

Under the provisions of the NPPF there is no priority given to garden land as a redevelopable brownfield site. However, in terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is within a predominantly residential area.

The proposed development would result in the replacement of a bungalow with a 1no. three-bedroom dwelling and a physiotherapy facility. The site has an established residential land use and the proposal will seek to retain this use in accordance with policy DC1.

A physiotherapy practice would share similar characteristics to a surgery, health centre or clinic. As such the proposal would further be subject to Policy DC26 which advises that new community facilities will only be granted where they are accessible, especially to groups that rely upon public transport, do not have an adverse effect upon residential character and amenity; that on-street parking should not be of detriment to pedestrian and highway safety; and that the buildings should be multi-use and adaptable.

The proposed ground floor D1 use, would occupy some 85 square metres, which equates to approximately 33% of the proposed new internal floor space. Given the proposed physiotherapy facility would have a separate entrance, and would effectively be set up to operate as a self contained business completely independent from the adjoining dwelling, it is not therefore considered to be ancillary to the residential use of the building. A judgement is therefore required as to the extent to which the proposal changes the residential character of the area, as well as the

subsequent harm to amenity.

The proposed development raises no material concerns with regard to the continued residential use, but in terms of the D1 use raises some concerns in relation to the impact on the surrounding residential character and amenity. These issues are discussed in the following sections of the report.

DENSITY / SITE LAYOUT

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

The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

The proposed three-bedroom dwelling would meet the internal floor space standards for three-person three-bedroom two-storey houses. The bedrooms would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the residential element of the proposed development would be in accordance with the general principles of the technical housing standards and the dwelling would provide an acceptable amount of space for day to day living.

Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.

The proposed dwelling would be set out with a private rear garden of approximately 100 square metres. The garden would also have a favourable southern aspect and in terms of functionality would provide sufficient areas for a three-bedroom house, with play space as well as a sitting out area, washing line, cycle and garden storage, etc. Therefore the proposed rear garden area is considered to be acceptable in this instance.

DESIGN / IMPACT ON STREET / GARDEN SCENE

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.

The proposed building would form a more prominent feature in terms of its visual impact in comparison to the existing bungalow, particularly with regard to views of the proposed dual frontages directly from the junction at Upper Brentwood Road and Main Road. Nevertheless, the proposed building would respect the established front building line of the existing bungalow and neighbouring houses along Upper Brentwood Road. It is considered that the overall impact of the increased bulk and massing would be minimised to some degree by the scale and proportion of the adjacent two-storey semi-detached houses.

The surrounding area is characterised by a variety of dwelling types differing in appearance but predominately two storey semi-detached properties. As such there is no dominant house type, however the design and style of the proposal is considered to generally adhere to the architectural character of the surrounding area.

The roof ridge height of 8.3 metres would be approximately in line with the roof ridge level of the adjacent dwelling at 585 Upper Brentwood Road and slightly above the ridge height of the neighbouring bungalow at 334 Main Road. Consequently Officers are of the view that the increased height of the proposed building on the plot would sit relatively comfortably within the streetscene arrangement.

The main concern relates to proposed treatments to the front/ side garden area which forms one of the most visually prominent sections of the site. This property is located within the Gidea Park Special Character Area, and this is defined Area is designated because of its urban design and architectural quality and detailing and also its locally important heritage and historical associations.

Effectively the front and side garden area would be surfaced with a large expanse of hardstanding to form a small car park - serving both the residential unit and physiotherapy practice. It is considered that this amount of hardstanding with little scope for soft landscaping would create a visually hard appearance which would not be sympathetic to the front garden environment and the residential character of this section of Upper Brentwood Road and Main Road. The introduction of the car park would also severely diminish the quality of the Gidea Park Special Character Area. This negative impact would be further exacerbated given the orientation of the plot and its prominent location on the junction of Upper Brentwood Road and Main Road. As a result the proposed layout of the site frontage would contribute to a significant loss of residential character.

Whilst it is recognised that the property as a whole has suffered from neglect and the garden area is currently untidy and overgrown, this does not justify its loss and the introduction of a car park. On the contrary it is considered that this section of the site should be sensitively restored and retained as an attractive front garden in accordance with the principle of the Special Character Area.

IMPACT ON AMENITY

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

The main consideration in terms of neighbouring residential amenity relates to the impact on privacy, daylight and outlook of the adjacent properties at 585 Upper Brentwood Road and 334 Main Road located to the east and west of the application site respectively.

In comparison to the existing bungalow the proposed building would occupy a relatively similar footprint. As with the existing arrangement, the projecting rear sections of the building would be single storey. The two storey rear sections of the proposed building would give the building greater

prominence than the existing bungalow, however the projection to the rear is not considered to be excessive in this instance and as such Officers are of the view that overall the scale, height and bulk of the proposed house would not result in an undue impact on the amenity of the occupants of 585 Upper Brentwood Road.

The neighbouring bungalow to the west at 334 Main Road is located on a comparatively small triangular shaped plot with the eastern boundary tapering in across the rear garden. This wedge-shaped layout gives the rear garden area at No.334 an inherent sense of being enclosed by the adjoining application site property. As a result the rear elevation of No.334 is orientated so that the habitable room windows face out directly towards the neighbouring application site. Consequently, the prominence of the new development would be intensified due to this uncommon plot shape arrangement.

Nevertheless, the single storey rear sections of the proposed building would occupy a similar footprint to the existing bungalow and the two storey elements would also be set back away from the rear of No.334. Whilst the proposal would appear as a more prominent building at oblique angles from rear habitable room windows at No.334 in comparison to the existing views of the bungalow, the impact in terms of over-dominance, would as a matter of judgement, be much less severe. As a result staff are of the view that the proposed building would not result in an overtly detrimental impact on the occupants of the neighbouring house at No.334 by way of over-dominance or loss of outlook.

In terms of overshadowing and loss of daylight; the proposed dwelling would be located to the east of No.334 and as such would not directly affect light into to the rear of the property.

The proposed flank elevations of the single storey rear section would include several secondary windows. All of these windows can be conditioned to be obscure glazed to mitigate any potential privacy and overlooking issues in relation to the neighbouring houses on either side of the application site. Given the recommendation for refusal this has not be pursued further.

The proposed physiotherapy practice would employ 2no. full time members of staff and would operate between the hours of 7:30 to 20:00 on Monday to Friday and 10:00 to 14:00 on Saturday. It is acknowledged that the site is located opposite to the Upper Brentwood Road Minor Local Centre and in close proximity to the busy traffic light junction with Main Road and as such the day to day operations of the proposed D1 use would not necessarily be problematic in terms of the amenity of neighbouring residents.

However, the main concern in this regard relates to the proposed car park which would be laid out in the area adjacent to the flank elevation of 334 Main Road - which includes a large side window.

The car park would draw activity associated with the D1 use within close proximity of the neighbouring property. Any vehicles parking on site would be positioned in close proximity to this window and the side garden of No.334 resulting in noise and disturbance for the neighbouring occupants. The situation would be exacerbated by the limited on-site turning facilities which would result in vehicles either manoeuvring in tight confines or reversing out back along the entrance driveway. Given the layout and orientation of the car park in relation to No.334 the occupants would also be affected by vehicular headlight intrusion in winter months.

As a result it is considered that the proposed car park area would materially and unacceptably harm the living conditions of the occupiers of No.334 due to excessive noise and disturbance. The scheme would therefore conflict with policies DC55 and DC61.

HIGHWAY / PARKING

Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 2, meaning that the site offers a relatively poor degree of access to surrounding public transport, increasing the requirement for off street car parking provision at the site. As such invokes a high standard of 2-1.5 parking spaces per dwelling.

A physiotherapy practice is not specifically listed in Havering's car parking standards, but would share similar characteristics to a surgery, health centre or clinic. As such a car parking standard of 1no. space per practitioner, plus 1no. space per two additional staff plus 2no. spaces per consulting room.

The scheme can demonstrate off street car parking provision for 6no. vehicles, which provides a ratio of two spaces for the dwelling and four spaces for the physiotherapy facility in accordance with policy.

The Local Highway Authority have raised no objection in principle, but have raised two issues which raise concerns:

- The application suggests (on the plans and under 2.4 of the D&A statement) the need for a "keep clear box" on the carriageway of Upper Brentwood Road at the access closest to the junction with Main Road. It should be noted that this is not possible because of the lane guidance road markings already in place and which we would not relocate.

- Second, (also under 2.4 on the D&A statement), there is a comment that alterations to the highway are needed to prevent right turns into the site from Upper Brentwood Road. Our view is that there is insufficient highway space within which to physically prevent right turns into the site. A right turn ban could be introduced using a traffic management order and the relevant signage. The ban would apply to a relatively small and shared access and our view is that this could potentially be misleading. It might be more pragmatic to provide a "keep clear" road marking outside the entry access so that right turners may do so with ease; the "in" and "out" can be signed on the site boundary accordingly. For those leaving the site, they would be doing so from a standard start and would have to negotiate with drivers approaching Main Road to find a gap.

As the application has been recommended for refusal, these issues have not been pursued further.

KEY ISSUES / CONCLUSIONS

The introduction of a significant area of hardstanding for the purposes of a car park would severely diminish the quality of the Gidea Park Special Character Area and detract from the character and appearance of the streetscene in this prominent location. It is also considered that the proposed car park area would materially and unacceptably harm the living conditions of the occupiers of No.334 due to excessive noise and disturbance.

The proposal is therefore contrary to policies DC55, DC61 and DC69 and it is recommended that planning permission be refused.

RECOMMENDATION

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

1. Refusal non standard

The proposed hardstanding car park and turning area would, by reason of its prominent location, appear as an incongruous and visually hard feature resulting in harm to the visual quality of the front garden environment and the residential character of this section of Upper Brentwood Road and Main Road. Furthermore, the introduction of the car park and lack of scope for soft landscaping would also severely diminish the quality of the Gidea Park Special Character Area. The proposal is therefore contrary to Policies DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD.

2. Refusal non standard

The proposed car park and turning area would, by reason of its close proximity to the adjoining residential property, materially and unacceptably harm the living conditions of the neighbouring occupiers due to excessive noise and disturbance from increased activity and vehicles manoeuvring within the site, contrary to Policies DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. Refusal and CIL

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £5,200. Further details with regard to CIL are available from the Council's website.

2. Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reasons for it was given to the agent Kevin Stephenson, via email on 16/11/16.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 8th December 2016

APPLICATION NO. P1483.16
WARD: Romford Town **Date Received:** 26th September 2016
Expiry Date: 21st November 2016
ADDRESS: 17-19 Market Place
Romford
PROPOSAL: Alterations and extension to the existing building to create 6no. flats
DRAWING NO(S): 01, 02, 03, 04, 05, 06, 07, 08, 09, 11
RECOMMENDATION It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

CALL-IN

The application has been called-in to committee by Councillor Frederick Thompson on the grounds that he believes it will be an enhancement in the streetscene and have little effect on views of the church.

SITE DESCRIPTION

The application relates to the property at 17-19 Market Place, Romford. This is a two-storey building fronting onto Romford market and located on the corner of Market Place and Market Link. The premises has an A1 retail use and is currently occupied by a hair salon.

The site is designated in the Havering Local Development Framework (LDF) as land within the Romford Major District Centre and as such is surrounded by a mixture of uses including commercial and residential.

In heritage terms the site is located within the historic town centre and market place of Romford and lies within the boundaries of the conservation area. Nearby are two listed buildings, the Grade II listed Church House and the Grade II* listed St. Edward the Confessor's Church, and other listed fabric, as well as various locally listed/heritage asset sites which are also in the vicinity.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for alterations and extension to the existing building to create 6no. flats with a retail unit at ground floor level. The residential accommodation would comprise 1no. one-bedroom unit and 5no. two-bedroom units.

The proposal would involve the partial retention of the existing building, whilst extending and remodelling the property to provide two additional residential storeys and a completely overhauled architectural treatment.

The proposal would not include any dedicated off-street car parking provision. Enclosed and secure cycle and refuse stores would be provided to the rear of the building accessed from Market Link.

RELEVANT HISTORY

P0685.01 - Reinstatement of two windows in Market Link flank
Apprv with cons 28-06-2001

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 102 properties and 3 representations have been received. The comments can be summarised as follows:

- The building will improve the area and provide a makeover for this part of the market ground.
- The development would provide some much needed houses.
- The existing building is not very attractive and the proposal would make a substantial improvement considering its prominent position on the corner of market Place.

Essex Water - No objection.

Thames Water - No objection.

London Fire Brigade Water Team - no objection.

London Fire and Emergency Planning Authority - no objection.

Thames Water - no objection.

Romford Civic Society - consider that the proposal meets the requirements of planning policy, subject to the quality of the materials which it is constructed from, and of the finishes and fittings which are used. In addition the applicants should carry out a thorough analysis of the structure and foundations of neighbouring Church House before permission for this scheme can be granted, so that the costings of any mitigating work required to maintain the integrity of that neighbouring listed building can be fully factored into the project costs for this redevelopment prior to work beginning

Historic England - object to the proposal due to the impact on the setting of adjacent listed buildings through the increase in scale, and to the impact on the character and appearance of the conservation that would be caused by the proposed design.

Environmental Health - no objection, recommended a standard condition in relation to noise insulation and a restriction on the hours of construction.

Local Highway Authority - no objection.

RELEVANT POLICIES

LDF

- CP01 - Housing Supply
- CP04 - Town Centres
- CP17 - Design
- CP18 - Heritage

- DC02 - Housing Mix and Density
- DC15 - Retail and Service Development
- DC32 - The Road Network
- DC33 - Car Parking
- DC34 - Walking
- DC35 - Cycling
- DC36 - Servicing
- DC61 - Urban Design
- DC67 - Buildings of Heritage Interest
- DC68 - Conservation Areas
- DC72 - Planning Obligations
- SPD02 - Heritage SPD
- SPD09 - Residential Design SPD

OTHER

LONDON PLAN - 2.15 Town Centres

-

LONDON PLAN - 3.3 - Increasing housing supply

LONDON PLAN - 3.5 - Quality and design of housing developments

LONDON PLAN - 4.7 - Retail and town centre development

LONDON PLAN - 6.10 Walking

-

LONDON PLAN - 6.13 Parking

-

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

LONDON PLAN - 6.9 - Cycling

LONDON PLAN - 7.3 - Designing out crime

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.8 - Heritage assets and archaeology

LONDON PLAN - 8.2 - Planning Obligations

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development would create 377 square metres of new gross internal non-residential floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £7540.00 (subject to indexation) based on the calculation of £20.00 per square metre.

STAFF COMMENTS

The main considerations in this case relate to the following key issues:

- The impact on the listed heritage assets; including the historic fabric of Grade II listed Church House and the setting of Grade II* listed St. Edward the Confessor's Church.
- The impact on the special character and appearance of the Romford Conservation Area.
- The impact on the amenity of neighbouring residential occupiers, future occupants and the

highways and parking implications.

PRINCIPLE OF DEVELOPMENT

Planning permission for development in a conservation area is acceptable in principle as long as it preserves or enhances the character or appearance of the Conservation Area and is well designed. New buildings within such areas should also be sympathetic/ subordinate to the mass and height of the surrounding buildings and complementary in terms of design, detailing and materials.

Retaining a commercial use at ground floor level and introducing residential use at first floor level would be considered acceptable in principle, subject to scale, layout and detailed design considerations. The site currently provides an A1 use at ground floor level, and it is proposed that a replacement retail unit would be included in the proposed scheme. As such the scheme is unlikely to harm the character, function and vitality and viability of the town centre.

CONSERVATION AREA

The site lies within the Romford Conservation Area which includes the immediately adjacent Grade II listed Church House and the Grade II* listed St. Edward the Confessor's Church, and other listed fabric, as well as various locally listed/heritage asset sites which are also in the vicinity.

LDF Policy DC68 sets out criteria for new development in conservation areas. The main issues are that it should not involve demolition of a building that makes a positive contribution to the conservation areas and that new buildings should preserve or enhance the existing character and are well designed.

Current government guidance on heritage matters is set out in the NPPF and NPPG. This is more recent than the LDF and carries significant weight. The Conservation Area is a designated heritage asset in terms of the guidance in the NPPF. This states that in determining planning applications account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. In making these considerations great weight needs to be given to the asset's conservation. Where there would be substantial harm caused planning permission should be refused, but where any harm is less than substantial the harm needs to be weighed against any public benefits of the development.

The National Planning Practice Guidance advises that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Not all elements of a Conservation Area will necessarily contribute to its significance. In this case given its neutral contribution the loss of the existing building is not considered to amount to substantial harm or less than substantial harm in terms of the guidance. Accordingly it is considered that the Conservation Area would not be harmed by the loss of the existing building, however, it is the quality of the replacement building that is the important factor in terms of impact on the Conservation Area.

In considering the proposed development the guidance in the NPPF is that new development should make a positive contribution to local character and distinctiveness and better reveal the significance of the Conservation Area. It should preserve those elements of the conservation area that make a positive contribution to it or better reveal its significance.

The site lies at the north west corner of Market Place where it meets Market Link. A narrow frontage overlooks the market ground and a longer boundary runs along the side road. To the east (on the opposite corner of Market Link) are twentieth century buildings of no particular architectural interest. The east-facing elevation of the proposed building would form a prominent feature which would be very important in terms of affecting the character and appearance of the conservation area. With a depth of 26 metres, the side elevation would be on display to a considerable degree and would form a vital ingredient in the scenery surrounding Romford Market.

From points in the centre of the Market Place to the east, the roof and facade of Church House can be seen together with the south face of the church and its front churchyard and spire. These are important views and the proposed development at 17-19 Market Place would mask these views to a significant degree, more-so than the existing two storey building.

At the moment the simplicity of the two storey building on its corner site is hardly noticeable and thus the listed buildings and the key characteristics of the conservation area may be appreciated well. The proposed larger replacement building would conceal these views which would be detrimental to the special character and appearance of the conservation area. Staff hold the view that a larger building could only be permitted if its own architectural quality was sufficiently good as to provide an innate and worthwhile composition on the corner site. It is considered that in its current form the proposal would fall some way short of this criteria.

The design of the upper sections of the proposed building, including the additional clutter of the projecting balconies and the arrangement of the gables and dormer windows, would give rise to a significant increase in scale and bulk, particularly when viewed from the key vantage points within the market place.

In addition, the building would include an overhang from the first floor level along the prominent frontage with Market Link. This feature would create a peculiar unbalanced and 'top-heavy' appearance protruding out over the adjacent road and effectively serving to exacerbate the bulk and mass of the proposed building, particularly from views to the south, and further emphasising the impact of the incongruous design and appearance in the conservation area.

Staff are also of view that if the present designs were to be realised the result would be an inauthentic pastiche, which would have an adverse impact on the calibre and quality of the Conservation Area.

Therefore having regard to the provisions of the NPPF, Staff are of the view that the proposal would not make a positive contribution to local character and distinctiveness and as a result it would result in substantial harm to the conservation area. Under these terms the NPPF is clear that application should be refused.

Notwithstanding that the development is judged to result in substantial harm, Staff have given

consideration in this instance to any public benefits arising from the development. The NPPG refers to these as being of benefit to the public at large and should not just be of private benefit. The NPPG lists some heritage benefits, such as enhancing the historic environment but, despite the removal of the existing building for the reasons outlined in the previous sections of the report regarding the adverse impact of the replacement building, this would not apply. The provision of additional housing to meet the needs of present and future generations may provide some public benefit. However, given that only 6no. flats are proposed this would be very limited and would not form sufficient grounds against which to balance the harm. Accordingly the development is considered to be objectionable in Conservation Area terms and contrary to the provisions of the NPPF.

Additionally, it is considered that the proposed building would form a visually awkward and incongruous appearance within this section of Market Place, which would result in substantial harm to the setting of the existing buildings and the special character and appearance of the Conservation Area, contrary to the provisions of Policy DC68 and the Heritage SPD.

LISTED BUILDING

The existing building at 17-19 Market Place dates from the 1960s and is of no historical value. The local context, however, is high in historical interest. The Romford Conservation Area covers the whole site and the medieval market place is at its front. The neighbouring property, Church House, is Grade II listed and dates from the fifteenth century - exceptionally early for any building in Greater London. Just beyond this but prominently visible is the ancient church of St Edward the Confessor, established on that site in 1410 and the town's most prominent landmark. The church is Grade II* listed.

Romford is fortunate to have such a well preserved and generously sized market place still in tact and in use at the centre of the town. Its relationship to the medieval church tells an important story about the changing history of the town and its considerable wealth and importance in the Middle Ages.

Church House completes this relationship. The building dates from the fifteenth century and is of genuine timber frame construction. Its earliest known function was as a house for chantry priests who were tasked to pray for the soul of Avery Cornburgh, buried in St Edward's Church. Following Henry VIII's abolition of chantries during the Reformation, the priests' house became an inn and was known at different times as the Chequer, and the Cock and Bell. It returned to church ownership at the beginning of the twentieth century and has supported the work of St Edward's ever since.

The proposals would not have any direct physical impacts on heritage assets, but would significantly alter the setting of Church House and the Church itself.

Historic England have advised that they are supportive of the principle of development in this location, but have raised two key objections. The objections relate to the increase in height and scale and its impact on Church House in particular; and the poor quality of design of the proposed remodelling and extension.

Church House is the oldest secular building in Romford, and is prominently located at the corner of

the churchyard and the market square. It has a long history as part of the communal life of the town and as such Historic England advise that the presentation of this building should be given considerable weight.

The proposed development would considerably exceed the size and scale of Church House and would overpower the building in views from the market square. There is no historical precedent for a building of this scale on this site, and a lack of breathing space within which a stepped increase in massing could comfortably be achieved.

Given the very high significance of the interrelationship between the Church, the market, and Church House, the height of the proposals is also likely to intrude on the prominence of the Church and its spire as seen from the market place.

The external design of the extension and remodelling of the existing building would take the form of a timber framed structure. It is recognised that referencing traditional materials and construction techniques can lead to successful new design in a historic context of this kind. However, in this sense the proposal appears as a clumsy mixture of styles, which fails to form either a high quality contemporary addition to the building or on the other hand a historically sensitive and sympathetic structure which complements or enhances the surrounding key heritage assets.

The proposed framing is very clearly superficial and would provide no structural function, something which often gives buildings an insubstantial or fake appearance. The designs detail studs hanging unsupported over window voids where lintels should be, and windows are placed mid-way through rails. Posts are missing altogether at some corners, giving the impression that the building is supported by render in-fill. The addition of French doors and balconies is particularly incongruous, some of which are supported in a fashion which mimics jettying, but others are not.

The whole of the upper three storeys bears no relation to the largely bricked-in ground floor. The market facing shop front projects outwards, despite being jettied above.

As a result the proposed building would lack authenticity either as a good modern building or as a scholarly approach to timber framing. Whilst it is also recognised that there is a desire to work within a local building tradition, if it is to be done successfully it must be carried out in a way which respects the quality and craftsmanship of these historic trades.

Staff are therefore of view that if the present designs were to be realised the result would be an inauthentic pastiche, which would significantly harm the setting of the adjacent Grade II listed Church House and the Grade II* listed St. Edward the Confessor's Church, as well as various locally listed/heritage asset sites which are also in the vicinity. The development would therefore be contrary to policy DC67 and the Heritage SPD.

DENSITY / SITE LAYOUT

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

The proposed extension would provide 6no. residential units providing a density equivalent to

approximately 400 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a dwelling density of between 240 to 435 dwellings per hectare for flatted schemes would be appropriate in this location.

The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.

The proposed extension would provide 1no. one-bedroom flat and 5no. two-bedroom flats with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and the flats would provide an acceptable amount of space for day to day living.

The Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.

Each of the first and second floor flats would be served by a balcony positioned on the front and side elevations of the building depending on which flat they are associated with. The third floor flats would have Juliet style balconies .

Given the town centre location of the site, and the amenity areas associated with equivalent town centre accommodation, it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space which in this instance would be adequate for the requirements of the future occupants.

IMPACT ON AMENITY

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

The nearest residential accommodation set to be located some 33 metres to the north east above the ground floor retail units on Market Place. As such it is not considered that the proposed development would present any undue issues in relation to residential amenity in accordance with Policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

In terms of the amenity of future occupants; given the existing commercial uses within the area, the town centre location, including the operation of the market, and the associated night time economy, any residents living in this part of Market Place can reasonably expect to experience a

greater element of noise and disturbance from passers-by and general town centre activity than those living in a purely residential area. This would be a 'buyer beware' issue that any prospective occupier would need to take into consideration before deciding whether to reside in one of these properties.

HIGHWAY / PARKING

Policy DC32 of the LDF states that new development that would have an adverse impact on the functioning of the road hierarchy will not be allowed.

The proposal would not include any dedicated off-street car parking provision. However, it is noted that the site is located within Romford Town Centre with a Public Transport Accessibility Level (PTAL) rating of 6a; meaning that the site offers an excellent degree of access to surrounding public transport limiting the requirement for off street car parking provision. There are also a number of public car parks within the vicinity. As such a car free residential development is considered to be acceptable in this location.

Enclosed and secure cycle and refuse stores would be provided to the rear of the building accessed from Market Link.

The Local Highway Authority has raised no issues in relation to the lack of car parking provision and the proposed refuse and serving arrangements,

SECTION 106

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.

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.

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.

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.

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.

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.

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.

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 £36,000 for educational purposes would be appropriate.

As this application is to be refused there is no mechanism for securing this contribution and this therefore also forms grounds for refusal.

KEY ISSUES / CONCLUSIONS

It is considered that the scale, bulk and massing of the proposed extension combined with the inauthentic pastiche design, would form an overly dominant, visually awkward and incongruous appearance within this section of Market Place, which would significantly harm the setting of the adjacent Grade II listed Church House and the Grade II* listed St. Edward the Confessor's Church, and the special character and appearance of the Romford Conservation Area.

In addition, in the absence of a Section 106 Agreement to secure an appropriate level of obligation the application also fails to mitigate the impact of the proposed development on local infrastructure.

The development is therefore contrary to the provisions of the NPPF, Policies DC61, DC67 & DC68 of the LDF and the Heritage SPD. As a result it is recommended that planning permission be refused.

RECOMMENDATION

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

1. Refusal - Listed Buildings & Conservation Area

The proposed extensions, by reason of the scale, bulk and massing, combined with the inauthentic pastiche design, would form an overly dominant, visually awkward and incongruous appearance within this section of Market Place, which would significantly harm the setting of the adjacent Grade II listed Church House and the Grade II* listed St. Edward the Confessor's Church, and the special character and appearance of the Romford Conservation Area. The development is therefore contrary to policies DC61, DC67 & DC68 of the Local Development Framework Development Plan Document, and the Heritage Supplementary Planning Document.

2. Reason for Refusal - Planning Obligation

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

INFORMATIVES

1. Refusal and CIL

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £7540.00. Further details with regard to CIL are available from the Council's website.

2. Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reasons for it was given to the agent Andrew Ransome, by email on 11/11/16.

REGULATORY SERVICES COMMITTEE

REPORT

8 December 2016

Subject Heading:

P1421.16 - 1 Mowbrays Road, Romford

Demolition of existing house, ancillary buildings and garage block.
Construction of 4 new dwellings plus ancillary facilities. (Received 24/08/16)

Ward:

Pettits

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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Senior Planner
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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 demolition of the existing bungalow, ancillary buildings and garage block and the construction of 4. No new dwellings plus ancillary facilities.

It raises considerations in relation to the impact on the character of the surrounding area, 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 a legal agreement being completed.

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 239m² which, at £20 per m², equates to a Mayoral CIL payment of £4,780 (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 Assistant Director 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 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. 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.

14. Permitted development rights

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

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

15. Domestic Sprinklers

Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system to each of the two dwellings to the rear of the property. Thereafter this provision shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

Reason: In lieu of adequate access for a Fire Brigade pump appliance and in the interest of amenity and safety for future occupiers.

16. 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

17. Lighting

Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting within the rear parking area, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided prior to occupation 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. 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.

19. Levels

Prior to the commencement of the development details of the existing and proposed finished ground levels of the site, 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: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
3. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. Any proposals which involve building over the public highway as managed

by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

4. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
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
6. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £4,780 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
7. 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. 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.
9. 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.
10. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and

the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see: <https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The application site is a plot of land containing a bungalow which faces north onto Mowbrays Road and includes a row of 6 garages to the east of the curtilage of the bungalow. To the east of the bungalow is a two storey building facing onto Mowbrays Road and housing 4 flats, the garages mentioned above lie to the south of these properties behind their rear gardens and the access road to the garages runs south from Mowbrays Road along the eastern flank of the building. To the west of the application site is an end of terrace house facing north onto Mowbrays Road. To the south of the site is a service road providing access from Mashiters Hill (which lies to the east) to the rear of houses on Mashiters Hill; further to the west the site also backs onto a small section of a service road providing access from Takely Close (which lies to the west) to the rear of houses on Mowbrays Road and Takely Close. The site slopes from north to south.

2. Description of Proposal

- 2.1. The proposal involves the demolition of the bungalow, ancillary buildings to the rear and the garages and the construction of 4 new dwellings. The dwellings comprise:
- a semi-detached pair of 3 bedroom houses facing north onto Mowbrays Road with living accommodation on a lower ground floor (within a basement) and bedrooms on an upper ground and first floor;
 - a two-storey building towards the rear of the site providing a 3 bedroom apartment on the ground floor and another 3 bedroom apartment with living accommodation on the ground floor and the bedrooms on a lower ground floor (within a basement).
- 2.2 The 3 bedroom houses are accessed directly from Mowbrays Road and each is provided with a parking space to the front of the house. Pedestrian access to the apartment building is by a pathway along the east flank of the proposed semi-detached pair while vehicular access is from the existing service road running alongside nos. 1a-1d Mowbrays Road and parking for 4 cars is provided where the garages currently stand.
- 2.3 Refuse and recycling areas will be located to the front of the semi-detached pair of dwellings fronting Mowbrays Road.

2.4 Parking provision for 6 vehicles would be provided; 2 no. on a hardstanding to the front of the semi-detached pair of dwellings and 4 no. spaces to the rear of the properties at No's 1a-1d Mowbrays Road.

2.5 The dwellings would have a north - south orientation with garden spaces towards the rear.

3. Relevant History

3.1 P1082.16 - Demolition of existing house, ancillary buildings and garage block. The construction of 4 no. new dwellings with ancillary facilities. Permission was refused on the grounds that the proposal was considered to be overdevelopment of the site providing a poor standard of accommodation for future occupiers and the absence of a legal agreement to fund school places.

3.2 P0341.16 - Demolition of existing house, ancillary buildings and garage block and construction of 4 new dwellings. Permission was refused on the grounds that the proposal was considered to be overdevelopment of the site providing a poor standard of accommodation for future occupiers, that the refuse stores would not be serviceable and that the absence of a legal agreement to fund school places.

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 23 properties and 9 letters of objection were received raising the following concerns.

- overdevelopment of the site
- provide a poor standard of accommodation
- will have an impact on existing infrastructure (school places, Health care and doctors)
- potential parking disruption as a result of contractors vehicles.
- detrimental to living environment of neighbouring occupiers
- not enough on-site parking will lead to overspill onto Mowbrays Road
- water drainage concerns as existing back gardens get water logged
- loss of views
- potential noise during construction
- proposal would cause structural damage to neighbouring summer house
- safety concerns relating to the potential removal of the boundary treatment to the rear of the existing garages (to be demolished)

4.2 The following consultation responses have been received:

- The London Fire Brigade - no objection.
- Highways - no objection subject to the addition of a vehicle access and vehicle cleansing conditions.
- Essex & Suffolk Water - no objection

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD and the Planning Obligations SPD (Technical Appendices).
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), 8.2 (planning obligations) and 8.3 (community infrastructure levy) 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 nearby houses and the suitability of the proposed parking and access arrangements.
- 6.2 *Principle of Development*
- 6.2.1 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 NPPF as the application site is within an established urban area.
- 6.2.2 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 this existing residential site. The proposal is therefore acceptable in principle and in accordance with Policy CP1.
- 6.3 *Background*
- 6.3.1 The latest application (P1082.16) for a similar development was refused planning permission as it would provide a poor living environment for future

occupiers due to overlooking from existing properties as well as the potential for the new development to overlook each other's rear gardens. All other aspects of the development were considered acceptable. The developer has made changes to the privacy concerns and it will be addressed later in this report under 'Impact on Amenity'.

6.4 *Density Layout*

- 6.3.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.3.2 The proposal would provide 4 no. residential dwellings at a density equivalent to approximately 50 dwellings per hectare. This is in keeping with 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.
- 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 floor space sizes all of which would meet 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.
- 6.3.6 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading. Amenity space of approximately 40m², 40m², 60m² and 84m² will be provided respectively for each dwelling to the rear or side of the buildings. Each garden will have an area of privacy which will not be overlooked by the proposed semi-detached pair of dwellings to the front of the site (see drawing no. 15-1181-203)
- 6.3.7 Whilst some of the garden areas are on the small side for family housing, as a matter of judgement, it is considered that the proposed amenity spaces 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 seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The area is characterised by semi-detached pairs and short terraces of 2 storey residential dwellings. The existing bungalow is an anomaly in the street scene and the proposed semi-detached pair of houses would fit in well. The gable ends of the roof would be in keeping with those of the flatted building to the east and the semi-detached building opposite.
- 6.4.3 The proposed dwellings to the rear of the plot would not be visible from the street and would have no impact on the street-scene. As a result of the significant changes in ground level at the rear of the property the 2 no. dwellings towards the rear of the subject property will have a modest height of 3.2m at their highest point above ground level. The proposed dwellings in the rear garden would be similar in size and visual impact to that of various other outbuildings to neighbouring occupiers within the immediate vicinity.
- 6.4.4 In order to limit overlooking to the rear amenity areas of the proposed dwellings at the rear these window frames have been designed to project out beyond the rear elevation. Although these windows will have a visual impact, Officers consider this to be acceptable and in keeping with the modern design of the development.
- 6.4.4 In terms of overall design and visual appearance, Staff are of the opinion that the development in this location would have an acceptable appearance with no harmful impact to the character and appearance of the surrounding area.

6.5 *Impact on Amenity*

- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.5.2 It is not considered that the proposal would have a detrimental impact on the amenity of neighbouring occupiers. The rear facing windows, due to its projecting design, will limit overlooking to the rear of the neighbouring properties. Any overlooking will be limited to the rear part of the neighbouring gardens which is a similar arrangement to existing 2-storey properties within the borough. The proposed dwellings to the rear are single storey, at a lower level to the nearby dwellings on Mowbrays Road and some 10 metres distant from the rear of the nearest house. The combination

of these factors would preclude any material issues of loss of privacy or noise nuisance from the use of these dwellings. The proposed development would not result in a loss of light to neighbouring occupiers as the semi-detached pair would be sufficiently set off the boundary with the neighbour to the east and is separated by a flat roof single storey side extension neighbouring from the western neighbouring property. The dwellings to the rear of the site would be viewed as single storey structures from neighbouring properties and would be of similar height than existing outbuilding in the immediate surroundings. No loss of light would result to neighbouring occupiers as a result of these dwellings.

- 6.5.3 Although the proposal would not result in an impact on neighbouring residential amenity it is also important to consider any potential impact on the amenity of future occupiers as a result of overlooking from the existing residential properties as well as the relationship between the gardens of the proposed dwellings.
- 6.5.4 Previous concerns related to the rear windows and terraces of the two new dwellings to the south of the site being overlooked from the rear gardens of houses on Mowbrays Road. An element of overlooking would remain, however this would be mitigated by proposed planting on the boundary and the fact that the closest window to the development at the rear of No. 3 is obscure glazed and serves a bathroom. Officers are also mindful that potential purchasers of the new dwellings would be aware of the potential for overlooking. Any overlooking from first floor rear windows of the new semi-detached pair of dwellings has also been addressed by providing redesigned rear windows which limits the line of sight (see drawing 15-1181-203).
- 6.5.5 Previous concerns also related to the overlooking of the new windows and terraces of the new pair of semi-detached houses from users of each other's rear gardens has been addressed by the provision of a 1.8m high fence on the shared boundary. A higher fence has also been introduced to the western shared boundary with the neighbour at No. 3. The proposed fencing is considered acceptable and would not result in an unacceptable visual impact when viewed in context of the wider development.
- 6.5.6 Previous concerns relating to the rear windows and terraces of the new semi-detached houses being overlooked by users of the path running along the back and side of the houses from the two new dwellings in the south of the site has also been addressed by increasing the height of the fencing from 1.4m to 1.8m. Any potential loss of light to ground floor windows is deemed acceptable given the southern orientation of these windows.
- 6.5.6 In terms of vehicular activity and the proposed parking arrangement, Staff acknowledge that there will be some impact as a result of vehicle movement close to neighbouring dwellings however this would not be that different from the current use of the site as a garage site.
- 6.5.7 It is therefore considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the

amenities of neighbouring properties and future occupiers. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 *Parking and Highway Issues*

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 2 and therefore requires 2-1.5 parking spaces per unit for a development of this type. The development would provide a total of 6 parking spaces at a ratio of 1.5 spaces per unit. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the minimum requirements of Policy DC33 and no issues are raised in this respect. The proposal would also be in keeping with the London Plan which requires up to 1.5 spaces per unit for a development in this locality. The Highways Authority has not raised an objection to the proposal.

6.6.2 A condition will be added to provide details of cycle storage for each dwelling in the event of an approval.

6.6.3 The developer has stated that the two dwellings to the rear of the site would be fitted with domestic sprinkler systems. A condition will be added in the event of an approval to ensure this installation.

6.7 *Mayoral Community Infrastructure Levy*

6.7.1 The proposed development will create 4 no. new residential units with 239m² of new gross internal floorspace (406m² minus existing floor area of 167m²). Therefore the proposal is liable for Mayoral CIL and will incur a charge of £4,780.00 (subject to indexation this figure may go up or down) based on the calculation of £20.00 per square metre.

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 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.
- 6.8.8 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 With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the

highway on collection days. The proposal will provide a bin collection point to the front of the properties fronting Mowbrays Road. Details of the refuse collection arrangements are proposed to be required by condition.

6.9.2 With regard to runoff concerns raised, Officers do not consider the development to have an unacceptable impact as there is an opportunity to improve the drainage in the rear garden through the development. Issues related to structural damage to neighbouring properties and potential boundary security concerns are not material planning considerations. Issues relating to noise and disturbance and lack of parking as a result of the construction will be mitigated by construction methodology and limited construction hours conditions.

6.9.3 Concerns raised regarding the additional impact on infrastructure, Officers do not consider this to be excessive given that the development is only for 4 no. additional units. The development will be required to make an educational contribution to provide school places.

6.9.4 Comments received also raised concerns regarding the loss of views. The semi-detached pair of properties will maintain the existing front and rear building lines, is sufficiently set off the boundaries and will therefore not have a significant impact on loss of views. The proposed dwellings to the rear would have a similar visual impact than that of a single storey outbuilding and would also not result in a harmful impact.

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.

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 Received on 24 August 2016.

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REGULATORY SERVICES COMMITTEE

REPORT

8 December 2016

Subject Heading:

P1249.16 - Hexagon House and Chaucer House, Mercury Gardens, Romford

Erection of 71 flats on top of the existing building. (Received 06/09/16)

Ward:

Romford Town

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 erection of 71 flats on top of the existing Hexagon House building.

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 parking 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 4146m² and amounts to £82,920.

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 £1,000,000 towards affordable housing to be paid in three stages; first payment on commencement, second payment at the completion of the 24th unit and third payment on the completion of the 48th unit.
- A financial contribution of £426,000 to be used for educational purposes.
- Save for the holders of blue badges that any future occupiers of the development be prevented from applying for and purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner 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 93 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use by occupiers of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

4. External Materials

No works shall take place in relation to any of the development hereby approved until samples of the external finishing materials 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. Refuse and Recycling

The flats hereby permitted shall not be occupied or 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.

6. 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.

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. 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.

9. Energy Statement

No development shall take place until an Energy Statement has been submitted to and approved in writing by the Local Planning Authority. The statement is required to demonstrate that the development will meet the 'Minimum Improvement on 2013 Building Regulations of 35 per cent'

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

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. Air Quality Assessment

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

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

For further guidance see: 'EPUK Guidance Development Control: Planning for Air Quality (2015 update), EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: To protect public health, those engaged in construction and occupation of the development from potential effects of poor air quality.

13. Secure by Design

Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police NE Designing Out Crime Office, setting out how the principles and practices of the Secured by Design

Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities.

14. 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

15. New plant or machinery

Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining/adjacent properties.

16. Transmission of noise

Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

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 £82,920 (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. In aiming to satisfy condition 13 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813
6. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see: <https://www.haverinq.gov.uk/Pages/Services/Street-names-and-numbering.aspx>
7. The applicant should take note of the following comments raised by The London Fire and Emergency Planning Authority:
 - Fire mains will need to meet access requirements
 - In order to meet the 45m hose criterion it may be necessary to provide additional fire mains.
 - There should be access for a pump appliance to within 18m of the inlet to a fire main which should be visible from the appliance.
 - There should be a fire hydrant within 90m of the inlet to a fire main.
 - Any dead end access road in excess of 20m should be provided with suitable turning facilities

REPORT DETAIL

1. Site Description

- 1.1 The application site is within Romford Town Centre and is located to the south side of Western Road, to the eastern side of its junction with Grimshaw Way. The site is generally flat, although there is a gentle slope towards the southern end of the site. The site has an area of 0.57 hectares. It comprises the existing 4/5 storey office buildings, known as Hexagon House and Chaucer House, together with an associated car park of around 112 spaces to the rear of the buildings.
- 1.2 To the north of the site lies Western Road, with a multi-storey car park on the opposite side of the road and beyond that the Liberty shopping centre. There are bus stops directly in front of the application site. To the immediate east of the site is Mercury Gardens, which forms part of the ring road around Romford Town Centre. West of the site is the location for the new Romford Leisure Development and Grimshaw Way, which is bordered on the other side by the 5 storey Sovereign House and 4 storey Scimitar House beyond. A narrow private access road lies to the south with the 4 storey St James House and 2 storey Romford & District Synagogue beyond.
- 1.3 The wider area is characterised by town centre activities and includes a number of shopping centres, including the Liberty and Brewery, reflective of the status of Romford as a Metropolitan Town Centre (as identified in the London Plan). The site also lies within the Romford Office Quarter as identified in the Romford Area Action Plan.

2. Description of Proposal

- 2.1 The proposed development involves the erection of 71 flats on top of the existing building at Hexagon House and Chaucer House. The proposal will involve extending the existing building by adding 5 floors, 3 of which would match the existing building lines and the additional 2 floors set back from the front edge of the roof of the existing building by at least 2m.
- 2.2 The top 2 floors will be finished with zinc cladding and glazing. A condition can be added in order to approve the final material prior to the commencement of the development.
- 2.3 The proposal will provide 45 no. 1-bed units, 24 no. 2-bed units and 2 no. 3-bed units of additional accommodation
- 2.4 Amenity space in the form of balconies would be provided to the proposed flats with the exception of 2 no. units on each of floors 6, 7 and 8.

- 2.4 The Technical Note Transport Statement provided as part of the application advises that the resultant building at Hexagon and Chaucer House would have 93 parking spaces for the 186 flats (current proposal for 71 units plus the previously approved 115 units under prior approval reference J0026.15) in the building, at a ratio of 0.5 parking spaces per flat. No changes are proposed to the existing access arrangements for vehicles off Grimshaw Way. The main access points for pedestrians would remain off Mercury Gardens and Western Road.
- 2.5 The applicant has stated that 186 secure cycle spaces would be provided which would amount to 1 per flat when considering the existing units as well as the proposed units. A condition will be added to request details of the cycle storage to be submitted prior to commencement on site, in the event of an approval.
- 2.6 Insufficient refuse storage details have been submitted and a refuse condition will be added in the event of an approval.

3. Relevant History

- 3.1 P0071.16 - Erection of 20 Flats on top of Existing Building - Committee resolution for approval subject to completion of a legal agreement
- 3.2 P0177.16 - Raised Wall to Parapet & New Windows - Approved with conditions
- 3.3 P1768.15 - Erection of 10 Flats on top of Existing Building - Committee resolution for approval subject to completion of a legal agreement
- 3.4 J0026.15 - Change of Use from (Class B1 (a)) to residential use (Class C3) for 115 proposed new flats - Prior approval given
- 3.5 F0003.13 - Application for prior notification of demolition of electricity substation - Planning permission not required
- 3.6 P1537.12 - Part demolition and installation of Chaucer House and Hexagon House, construction of 2 new fire escapes, relocation of air handling plant, re-configuration of existing car parking - Approved with conditions
- 3.7 The following applications affecting the adjacent surface car park are also relevant:
- Z0008.12 - Screening opinion for current car park to be developed for Leisure Centre to include swimming pool and ice rink - EIA not required.
- P1492.12 - Construction of a new leisure centre comprising an ice rink, 25m swimming pool, training pool, multi-purpose dance studio, fitness suite and ancillary café with associated disabled car parking and cycle parking - Approved with conditions

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the local press. Neighbour notification letters have also been sent to 16 local addresses. No letters of objection were received.
- 4.2 The following consultation responses have been received:
- Highways - no objection
 - Waste and recycling team - requested clarity on bin storage
 - Thames Water - no objection.
 - London Fire Department - stated that there may be a requirement for additional mains, that there should be access for a pump applicant to within 15m of the inlet to a fire main and that there should be a fire hydrant within 90m of the inlet to a fire main.
 - Environmental Health - no objection provided that conditions be added for noise and vibration, new plant or machinery, construction management plan and construction hours.
 - Designing Out Crime Officer - no objection to the current proposal but requested a secure by design condition and informative.
 - Environment Agency - no objection

5. Relevant Policies

- 5.1 The National Planning Policy Framework, specifically Sections 2 (ensuring the vitality of town centres), 4 (promoting sustainable transport), 7 (requiring good design) and 8 (promoting healthy communities) are material to this application.
- 5.2 Policies 2.6 - 2.8 (Outer London: Vision and strategy, economy and transport), 2.15 (town centres), 4.2 (offices), 4.7 (retail and town centre development), 5.18 (development waste management), 6.1 (transport), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.2 (an inclusive environment), 7.4 (local character), 7.5 (public realm), 7.6 (architecture) and 8.2 (planning obligations) and 8.3 (community infrastructure levy) of the London Plan, are material considerations.
- 5.3 Policies CP4 (town centres), CP5 (culture), CP9 (reducing the need to travel), CP10 (sustainable transport), CP17 (design), DC15 (town centres), DC29 (Educational Premises), DC32 - 36 (transport), DC40 (waste recycling), DC55 (noise), DC61 (urban design), DC62 (access), DC72 (planning obligations) of the Core Strategy and Development Control Policies Development Plan Document are material considerations.
- 5.4 Policies ROM13 (Romford Office Quarter), ROM19 (tall buildings) and ROM20 (urban design) of the Romford Area Action Plan are material to this application, alongside the Romford Development Framework which has been adopted for development management purposes.

5.5 Other relevant documents include the Residential Design SPD, the Sustainable Design and Construction SPD and the Planning Obligations SPD (Technical Appendices).

6. Staff Comments

6.1 The main considerations relate to the principle of the development within the designated Romford Office Quarter, the impact on the vitality and viability of the town centre, the visual impact of the proposed works, amenity issues and parking and highway considerations.

6.2 Principle of Development

6.2.1 The site lies within the Romford Office Quarter, designated in the Romford Area Action Plan (AAP). Policy ROM13 of the AAP states that to increase the vitality and viability of the Romford Office Quarter higher densities will be allowed and residential and A3 uses encouraged provided that:

- There is no net loss of office space in any redevelopment of existing sites;
- New developments include a significant element of new office space within the scheme; and
- In line with ROM17 and ROM21, new developments incorporate tree planting and green amenity space, and new hard landscaped public spaces.

6.2.3 The current buildings benefit from a prior approval giving consent for a change of use from office space to residential; therefore there will no longer be an office use of the buildings. The current proposal would add 5 additional floors of residential accommodation on top of the existing building.

6.2.3 Officers do not consider the lack of any new office space within the development would justify a refusal of the application given that evidence suggests a steady decline in the Romford office market over recent years and a consequent over-provision of available office floorspace. It should also be noted that the subject building had a high level of vacancy prior to the change of use from office to residential. The Romford Development Framework identifies this site and the office quarter area as suitable for development height of around 8-10 storeys with a potential for mixed use development in close proximity to Crossrail.

6.2.4 The proposal for 5 additional storeys to create a 10 storey building (9-storeys above street level) would comply with ROM19 which allow buildings of 6-storeys and over to be located in the Romford Office Quarter.

6.3 Density/Layout

6.3.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning

permission will not be granted for proposals that would significantly diminish local and residential amenity.

- 6.3.2 The proposal would provide 71 no. residential apartments at a density, when adding the 115 units approved under prior approval, equivalent to approximately 362 dwellings per hectare. This is in line with the aims of Policy DC2 which states that a dwelling density of between 240 to 435 dwellings per hectare would be appropriate in this location.
- 6.3.3 In terms of housing mix, this is for one, two and three-bed properties which would meet the needs of the Borough as identified by LDF Policy DC2 and the Council's Housing Needs Assessment.
- 6.3.4 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The technical housing standards require that new residential development conforms to nationally described minimum internal space standards.
- 6.3.5 The proposal would provide residential units with varying floor space sizes all of which all would meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve.
- 7.3.6 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.
- 7.3.7 Each flat with the exception of 2 no. units on each of floors 6, 7 and 8, would have amenity space in the form of either a balcony or terrace. With the provision of the balconies and terrace areas it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space. Officers recognise that the lack of balconies to these units are not ideal, however it is only a small amount of units out of the 71 proposed and given the close proximity of the site to the new Romford Leisure Centre, it is considered that the lack of balconies to these units alone would not be sufficient to refuse the application.
- 7.3.8 It is considered that overall the proposed amenity space in the form of balconies and terraces would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants of the flats. As a result of the U-shape of the existing building Officers are mindful that some of the flats facing inward would have a reduced amount of sunlight, however none of the units would be north facing and the situation would be similar to that of the converted flats on the first five floors. The amount of sunlight and daylight received is considered to be adequate. The general site layout is considered to be in accordance with Policy DC61 and the Residential Design SPD.

7.4 *Design/Impact on Streetscene*

- 7.4.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 7.4.2 The proposal has been carefully considered to reduce any perceived mass or bulk. Given its nature on top of an existing five storey block of flats, and with the two upper floors set back from the edge of the block in a visually appropriate manner, the proposed development is not considered to have an intrusive or overbearing appearance within the streetscene. The surrounding area has buildings of a variety of sizes, bulk and height such that the resultant building at Hexagon House and Chaucer House would complement the streetscene. It is considered that the modern appearance of the proposed development would improve the quality of the area as the proposal would represent a visual enhancement over and above the existing built form on the site. The proposal is considered to be in keeping with Policy DC61 as it would complement or improve the amenity and character of the area through its appearance and materials used.

7.5 *Impact on Amenity*

- 7.5.1 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.
- 7.5.2 The nearest residential dwellings are situated in Eastern Road with separation distance of approximately 94m between the proposed development and these neighbouring dwellings. The site is bordered to the west and south by office buildings, to the north by a multi-storey car park and to the east by the Liberty Bell hotel and restaurant.
- 7.5.3 The proposal is not considered to have an unacceptable impact on the proposed flats within the existing floors of Hexagon and Chaucer House.
- 7.5.5 It is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

7.6 *Parking and Highway Issues*

- 7.6.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) is set at 6b meaning that the site is classified as having the best access to public transport. Therefore flattened development in

this location is required to provide parking provision of less than 1 space per unit This level of provision is echoed by the London Plan.

7.6.2 The Technical Note Transport Statement provided as part of the application advises that the resultant building at Hexagon and Chaucer House would have 93 parking spaces for the 186 flats (current proposal for 71 units plus the previously approved 115 units under prior approval reference J0026.15) in the building at a ratio of 0.5 parking spaces per flat. Officers consider this provision acceptable given the high PTAL rating for the site and the town centre location. The Highways Authority has not raised an objection to the application however a condition will be added which restricts future occupiers from acquiring and purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.

7.6.3 Secure cycle storage providing space for up to 186 cycles would be provided. A condition will be added requesting details to be submitted prior to commencement of development in the event of an approval.

7.7 *Affordable Housing*

7.7.1 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 36 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.

7.7.2 The applicant has submitted a viability appraisal with the application that seeks to demonstrate that the development would only be able to support an affordable housing contribution of £293,703. The valuation has been independently appraised and that appraisal did not agree with the proposed contribution. After the submission of additional information and verifying of building costs by a quantity surveyor the independent appraiser concluded that the proposal would be able to support an affordable housing contribution of £1,000,000. The applicant has agreed to fund this contribution.

7.8 *Mayoral Community Infrastructure Levy*

7.8.1 The proposed development will create 71 no. new residential units with 4146m² square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £82,920 subject to indexation based on the calculation of £20.00 per square metre.

7.9 *Infrastructure Impact of Development*

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

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

7.9.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £426,000 for educational purposes would be appropriate.

7.10 Other

7.10.1 The applicant has stated that refuse storage and recycling capacity would be provided in accordance with the required standards. A condition will be added requesting details to be submitted prior to commencement of development in the event of an approval.

7.10.2 The proposal will be in compliance with policy 7.2 of the London Plan in that it would achieve a high standard of accessible and inclusive design so that it can be used safely, easily and with dignity by all residents of disability. The flats would be accessed by means of lifts as well as ramped access at ground floor level. More than 10% of the flats would be accessible by and easily convertible to accommodation for disabled people in accordance with the London Plan requirements.

7.10.3 An informative has been added to draw the applicants' attention to the comments made by the London Fire and Emergency Planning Authority

8. Conclusion

8.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal is acceptable subject to 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 06/09/16.

REGULATORY SERVICES COMMITTEE

8 December 2016

REPORT

Subject Heading:

P1339.16 - Abercrombie House,
Bridgwater Road

Single storey rear extension to increase
size of existing restricted Reception Area.

(Application received 17-08-2016).

Ward

Gooshays

Lead Officer

Helen Oakerbee
Planning Manager

Report Author and contact details:

Cole Hodder
Planner
cole.hodder@havering.gov.uk
01708 432829

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The proposal comprises of a modestly proportioned single storey extension to Abercrombie House, a Council owned building, to provide an extension to the reception area which would be contained within the existing envelope of the host building. The application has been assessed independently of the Council's interest as land owner and applicant.

The proposed development is considered to accord with all relevant planning policy and it is the opinion of staff that planning permission should be granted.

RECOMMENDATIONS

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

1. Time Limit

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

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

2. 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. 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.

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.

REPORT DETAIL

1.0 Site Description

1.1 The application site comprises a 2-storey building with single-storey sections to the western side of the main building which is centrally located within the site. The application site has a frontage onto Bridgewater Road and onto Hilldene Avenue. Abercrombie House provides accommodation of 33 units for Council tenants with a grassed play area to the south and east of the building.

1.2 The area is mixed in character with 2-storey residential properties to the north (houses) and east (flats and houses) and community buildings including a Youth Centre to the west. To the south is the main shopping centre with commercial to the ground floor and residential above

1.3 Directly outside the site to the south is a bus stop and there is also marked pavement parking and a couple of street trees.

2. Description of Proposal

2.1 The Local Authority is in receipt of an application, seeking planning permission for a single storey extension to accommodate a larger reception area.

2.2 In the context of the application building, the addition is modestly proportioned - an area of some 16m² additional floor space and a flat roof commensurate with the existing.

3. History

3.1 P0452.12 - Level out to provide car park with new vehicular access - Approved with Conditions

4. Consultation/Representations

4.1 Notification letters were sent to fifty nine neighbouring properties.

4.2 One letter of objection was received. The nature of the comments made were focused primarily on the use of the building and the behaviour of residents - which in the context of the extension proposed do not necessarily represent material considerations which fall within the scope of the current proposal.

4.3 Environmental Health - No objection

4.4 Highway Authority - No objection.

5. Relevant Policy

5.1 Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant.

5.2 The Residential Extensions and Alterations SPD is also relevant in this instance.

6. Staff Comments

6.1 The issues for Staff to consider relate to the impact that the proposed extension would have on the original building, locality, amenity of neighbouring occupiers and any highway/parking issues.

6.2 The proposal is not located within a Conservation Area or the Metropolitan Green Belt and in principle there is no objection to an extension to the existing building

7. Design/Impact on Street-scene

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

7.2 The proposed addition is located centrally and would not be visible from the street as it would effectively represent infilling. The proposed addition would therefore be screened for the most part by the existing built form of Abercrombie House and as such staff therefore consider that there would be no adverse impact on visual amenity.

7.3 The proposal relates suitably to the existing layout of the host premises and would integrate acceptably with the host building by reason primarily of its marginal scale and bulk.

8 Impact on Amenity

8.1 There are no implications related to neighbouring amenity due to the siting and scale of the proposed development.

9. Highway/Parking

9.1 The proposal would not alter the existing parking standard/requirement and therefore no objections are raised.

9.2 The Highway Authority were consulted and have also raised no objections.

10 Conclusion

10.1 Having had regard to all relevant planning policy and material considerations, it is the opinion of staff that the development proposed is acceptable in all respects. It is therefore recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

This application has been assessed independently of the Council's interest as applicant and land owner.

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 17-08-2016.

REGULATORY SERVICES COMMITTEE

8 December 2016

REPORT

Subject Heading:

**P0562.15: 102-124 Sackville Crescent,
Romford**

Construction of third floor extensions to the existing apartment blocks at 102-112 and 114-124 Sackville Crescent, featuring a mansard roof, to create 4no. new flats. (2no. flats at each block), plus refurbishment of the existing elevations. (Application received 3 November 2015. Amended plans received 25 August 2016)

Ward:

Harold Wood

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

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

Policy context:

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

Financial summary:

None

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

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

SUMMARY

The proposal is for the construction of a mansard style roof extensions to two adjacent blocks to create additional floors comprising 4no. new flats (2no. flats at each block).

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 248 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £4,960 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £24,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

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

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

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

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

4. Construction Methodology

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

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

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

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

5. Hours of Construction

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

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

6. Refuse and Recycling

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. Car Parking

Before the extensions hereby permitted are first occupied, the area set aside for car parking, as indicated on drawing no. 'P002 Revision E' 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.

9. Noise Insulation

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

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

10. Water Efficiency

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

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

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £4,960 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

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

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

REPORT DETAIL

1. Call-in

The application has been called-in to committee by Councillor Alex Donald on the grounds that he believes the development would result in the intrusion of privacy into neighbouring properties.

2. Site Description

- 2.1 The application relates to the existing apartment blocks at 102-112 and 114-124 Sackville Crescent, Romford. These buildings form a pair of three-storey residential blocks, orientated with the side elevations to Sackville Crescent and the front elevations facing one-another across the vehicular access to the rear garage court.
- 2.2 The surrounding area is characterised by a mixture of two-storey semi-detached houses and detached apartment blocks.

3. Description of Proposal

- 3.1 The application is seeking planning permission for the construction of roof extensions to the existing apartment blocks at 102-112 and 114-124 Sackville Crescent, featuring a mansard roof, to create a fourth floor level with the addition of 4no. new flats in total (2no. new flats at each block). The accommodation would comprise 2no. one-bedroom units and 2no. two-bedroom units.
- 3.2 The extension would involve raising the height of each of the buildings by approximately 2.9 metres. The extensions would comprise a mansard style

roof design. The proposal would also involve a refurbishment of the existing elevations of the building including new cladding, the addition of window planter boxes and contemporary open fronted porches to the front and rear main entrances.

- 3.3 The existing internal stairwells would be adapted to enable internal access to the new flats.
- 3.4 The two new apartments at 102-112 Sackville Crescent would be served by 3no. dedicated parking spaces, created on a section of the grass verge and accessed directly from Sackville Crescent. The two new apartments at 114-124 Sackville Crescent would be served by 2no. dedicated parking spaces, located off the garage court access to the rear of the block.
- 3.5 It is intended that the existing bin stores which serve each building would be refurbished and used by the occupants of the new flats.

4. Relevant History

- 4.1 No recent planning history.

5. Consultations/Representations

- 5.1 Notification letters were sent to 92 properties and 66 representations have been received. The comments can be summarised as follows:

- Noise and disturbance to residents living in the lower floors during construction works.
- Overlooking and loss of privacy.
- Over-development of the site.
- Noise and disturbance.
- Too many new dwellings in the area for creating a strain on local infrastructure and school places.
- Existing problems with parking and congestion – the proposal will exacerbate these issues.
- The extensions would not be in-keeping and would harm the character and appearance of the streetscene and local area.
- Loss of green space due to the creation of additional parking spaces.

In response to the above: a financial contribution would be sought to mitigate the impact on education infrastructure. The grassed land surrounding the buildings is private land associated with the residential blocks and is not regarded as public open space. Matters in relation to amenity and streetscene are discussed later in the report.

- 5.2 The following consultation responses have been received:

- Thames Water - no objection.

- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Environmental Health - no objection, recommended a condition in relation to noise insulation.
- Local Highway Authority - no objection.

6. Relevant Policies

- 6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), , DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 6.2 Other relevant documents include, the Residential Design SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 6.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 6.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

7. Staff Comments

- 7.1 The main considerations relate to the impact on the character and appearance of the surrounding area, the implications for the residential amenity of future occupants and occupants of neighbouring properties and the suitability of the proposed parking and access/servicing arrangements.

Principle of Development

- 7.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 7.3 In terms of the Local Plan the site is classified as non-designated land and lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. In addition the adjacent garden area is not designated as public open space and is within a predominantly residential area.
- 7.4 As such the proposal is considered to be policy compliant in land use terms and its use for residential is therefore regarded as being acceptable in principle.

Density/Layout

- 7.5 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 7.6 The proposed extensions would provide 4no. residential units in addition to the 12no. units in the existing floors of the two buildings; providing a total of 16no. flats. As such the development would give a total density equivalent to approximately 114 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a dwelling density of between 80 to 120 dwellings per hectare would be appropriate in this location.
- 7.7 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.
- 7.8 The proposed extension would provide 2no. one-bedroom units and 2no. two-bedroom unit with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and Policy 3.5 of the London Plan, and the flats would provide an acceptable amount of space for day to day living.
- 7.9 The flats would not be served by dedicated private amenity space, however the buildings are both surrounded by open communal garden areas and

occupants would be able to access this shared amenity space. This arrangement would be consistent with the living environment of the existing flats in each block. As such it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space, which in this instance would be adequate for the requirements of the future occupants.

Design/Impact on Streetscene

- 7.10 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 7.11 The southern side of Sackville Crescent is characterised by large detached three-storey residential blocks which lead out along the curvature of the road as the gradient slopes away from east to west. Immediately opposite on the northern side of Sackville Crescent are two-storey dwellings.
- 7.12 The appearance and style of the proposed extension is considered to be of a sympathetic design which complements the existing building and broadly adheres to the architectural character of the surrounding area. Staff are also of the view that refurbishment of the elevations and contemporary additions to the entrances of the each building would also help to enhance their appearance in the streetscene.
- 7.13 It is acknowledged that given that the nature of the proposal the roof extension would increase the prominence of both blocks. However, given the relatively sympathetic design and scale, on balance Staff are of the view that the massing of the extension would be absorbed into the existing bulk of the building and would not appear unduly prominent or overbearing in this regard.
- 7.14 In terms of the impact on the southern section of the Sackville Crescent streetscene; it should be noted that an accompanying application for a similar proposal to the adjacent residential blocks has also been submitted. Whilst the extensions would raise the overall height of the buildings in comparison to the houses opposite; the flatted accommodation can be viewed with a degree of isolation and would retain the uniformed height and general form without appearing overly dominant or causing detriment to the character and appearance of the streetscene in this locality.
- 7.15 Staff are therefore of the view that the scale of the proposed development would be acceptable, given the subservient design and appearance of the extension in comparison to the existing building, the height and massing of the adjacent buildings.

Impact on Amenity

- 7.16 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 7.17 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the surrounding houses. The closest property affected in this regard would be 100 Sackville Crescent, which lies to the north-west of the block at 102-112 Sackville Crescent. The application building is located approximately 10 metres from the side/rear garden boundary of this property. However, No.100 is orientated so that the rear windows face away from the application building. The presence of a large rear conservatory adjacent to the boundary and thick boundary planting would help to screen the roof extension and minimise any undue impact on the neighbouring property in respect of privacy or over dominance.
- 7.18 Given the existing relationships between the adjacent houses on the north side of Sackville Crescent and residential blocks to the south, outlook from the front of the houses is already dominated to some extent by the three-storey flatted accommodation blocks. Given the position of the buildings to the south of these properties, and the marginal increase in height, the proposed roof extensions would not result in a loss of daylight or overshadowing to the neighbouring residents.
- 7.19 The proposed extensions would raise the height of the buildings by approximately 2.9 metres. However, given the nature of the mansard style extension and the low profile roofline they are not considered to create an undue amount of additional, height, bulk or massing.
- 7.20 It is noted that issues of disruption during construction have been raised in representations. This is not considered to be a material planning consideration on which a refusal could be based. A Construction Method Statement is however recommended to be secured through condition.
- 7.21 On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

Environmental Issues

- 7.22 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.

- 7.23 The extension relates to the upper floors of an existing building and presents no issues in relation to flood risk.
- 7.24 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 7.25 The site has a Public Transport Accessibility Level (PTAL) rating of 1b; meaning that the site has a poor access to public transport facilities. Policy DC33 requires residential development in this location to provide a high car parking provision of 2-1.5 spaces per unit. The London Plan requires a maximum of 1 space per unit, with discretion given to Outer London Boroughs to seek a greater level of provision where access to public transport is limited.
- 7.26 The proposal can demonstrate off street car parking provision for 5no. vehicles within two dedicated car parking areas. The two new apartments at 102-112 Sackville Crescent would be served by 3no. dedicated parking spaces (giving a ratio of 1.5 spaces per unit), created on a section of the grass verge and accessed directly from Sackville Crescent. The two new apartments at 114-124 Sackville Crescent would be served by 2no. dedicated parking spaces (giving a ratio of 1 space per unit), located off the garage court access to the rear of the block.
- 7.27 It is intended that the existing bin stores which serve each building would be refurbished and used by the occupants of the new flats. The existing refuse stores are easily accessible for refuse collectors and large enough to take on the additional capacity of waste.
- 7.28 The Local Highway Authority has raised no objection to the proposal in relation to the proposed amount of car parking provision and the access and servicing arrangements.
- 7.29 It is therefore considered that the proposed car parking and access arrangements are acceptable and would not result in highway safety or parking/ servicing issues.

Mayoral Community Infrastructure Levy

- 7.30 The proposed development will create 4no. new residential units with 248 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £4,960 (this may go up or down, subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 7.31 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.
- 7.32 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.
- 7.33 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.
- 7.34 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.
- 7.35 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.
- 7.36 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.

- 7.37 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 7.38 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £24,000 for educational purposes would be appropriate.

8. Conclusion

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

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 3 November 2015 and amended plans received on 25 August 2016.

REGULATORY SERVICES COMMITTEE

8 December 2016

REPORT

Subject Heading:

P0567.15: 126-148 & 150-160 Sackville Crescent, Romford

Construction of third floor extensions to the existing apartment blocks at 126-148 and 150-160 Sackville Crescent, featuring a mansard roof, to create 6no. new flats. (2no. flats at 150-160 and 4no. flats at 126-148). (Application received 3 November 2015. Amended plans received 25 August 2016.)

Ward:

Harold Wood

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The proposal is for the construction of a mansard style roof extensions to two adjacent residential blocks to create additional floors comprising 6no. new flats (2no. flats at 150-160 and 4no. flats at 126-148).

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 384 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £7,680 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £36,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

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

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

4. Construction Methodology

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;

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

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

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

5. Hours of Construction

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

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

6. Refuse and Recycling

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. 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.

9. Car Parking

Before the extensions hereby permitted are first occupied, the area set aside for car parking, as indicated on drawing no. 'P002 Revision E' 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.

10. Noise Insulation

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

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

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.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £7,680 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
5. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and

the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the existing apartment blocks at 1126-148 and 150-160 Sackville Crescent, Romford. These three- storey buildings are set back from Sackville Crescent and orientated to follow the curvature of the road which sweeps around from east to west.
- 1.2 The surrounding area is characterised by a mixture of two-storey semi-detached houses and detached apartment blocks.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the construction of roof extensions to the existing apartment blocks at 126-148 and 150-160 Sackville Crescent, featuring a mansard roof, to create a fourth floor level with the addition of 6no. new flats in total ((2no. flats at 150-160 and 4no. flats at 126-148). The accommodation would comprise a mixture of one-bedroom units and two-bedroom units.
- 2.2 The extension would involve raising the height of each of the buildings by approximately 2.9 metres. The extensions would comprise a mansard style roof design. The proposal would also involve a refurbishment of the existing elevations of the building including new cladding, the addition of window planter boxes and contemporary open fronted porches to the front and rear main entrances.
- 2.3 The existing internal stairwells would be adapted to enable internal access to the new flats.
- 2.4 The new apartments would be served by 8no. dedicated parking spaces, adjacent to the existing garage court area, to the rear of the apartment blocks on Sackville Crescent.

2.5 It is intended that the existing bin stores which serve each building would be refurbished and used by the occupants of the new flats.

3. Relevant History

3.1 No recent planning history.

4. Consultations/Representations

4.1 Notification letters were sent to 92 properties and 82 representations have been received. The comments can be summarised as follows:

- Noise and disturbance to residents living in the lower floors during construction works.
- Overlooking and loss of privacy.
- Over-development of the site.
- Noise and disturbance.
- Too many new dwellings in the area for creating a strain on local infrastructure and school places.
- Existing problems with parking and congestion – the proposal will exacerbate these issues.
- The extensions would not be in-keeping and would harm the character and appearance of the streetscene and local area.
- Loss of green space due to the creation of additional parking spaces.

4.2 The following consultation responses have been received:

- Thames Water - no objection.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Environmental Health - no objection, recommended a condition in relation to noise insulation.
- Local Highway Authority - no objection.

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and

Development Control Policies Development Plan Document are considered to be relevant.

- 5.2 Other relevant documents include the Romford Town Centre Development Framework, the Residential Design SPD, Designing Safer Places SPD, Romford Area Action Plan (ROM13) Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the impact on the character and appearance of the surrounding area, the implications for the residential amenity of future occupants and occupants of neighbouring properties and the suitability of the proposed parking and access/servicing arrangements.

Principle of Development

- 6.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.3 In terms of the Local Plan the site is classified as non-designated land and lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. In addition the adjacent garden area is not designated as public open space and is within a predominantly residential area.
- 6.4 As such the proposal is considered to be policy compliant in land use terms and its use for residential is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.5 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning

permission will not be granted for proposals that would significantly diminish local and residential amenity.

- 6.6 The proposed extensions would provide 4no. residential units in addition to the 18no. units in the existing floors of the two buildings; providing a total of 24no. flats. As such the development would give a total density equivalent to approximately 103 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a density of between 80 to 120 dwellings per hectare would be appropriate in this location.
- 6.7 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.
- 6.8 The proposed extension would provide 3no. one-bedroom units and 3no. two-bedroom unit with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and Policy 3.5 of the London Plan, and the flats would provide an acceptable amount of space for day to day living.
- 6.9 The flats would not be served by dedicated private amenity space, however the buildings are both surrounded by open communal garden areas and occupants would be able to access this shared amenity space. This arrangement would be consistent with the living environment of the existing flats in each block. As such it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space, which in this instance would be adequate for the requirements of the future occupants.

Design/Impact on Streetscene

- 6.10 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.
- 6.11 The southern side of Sackville Crescent is characterised by large detached three-storey residential blocks which lead out along the curvature of the road as the gradient slopes away from east to west. Immediately opposite on the northern side of Sackville Crescent are two-storey dwellings.
- 6.12 The appearance and style of the proposed extensions are considered to be of a sympathetic design which complements the existing buildings and broadly adheres to the architectural character of the surrounding area. Staff

are also of the view that refurbishment of the elevations and contemporary additions to the entrances of the each building would also help to enhance their appearance in the streetscene.

- 6.13 It is acknowledged that the roof extensions would increase the prominence of both blocks. However, given the relatively sympathetic design and scale, on balance Staff are of the view that the massing of the extensions would be absorbed into the existing bulk of the buildings and would not appear unduly prominent or overbearing in this regard.
- 6.14 In terms of the impact on the southern section of the Sackville Crescent streetscene; it should be noted that an accompanying application for a similar proposal to the adjacent residential blocks has also been submitted. Whilst the extensions would raise the overall height of the buildings in comparison to the houses opposite; the flatted accommodation can be viewed with a degree of isolation and would retain the uniformed height and general form without appearing overly dominant or causing detriment to the character and appearance of the streetscene in this locality.
- 6.15 Staff are therefore of the view that the scale of the proposed development would be acceptable, given the subservient design and appearance of the extension in comparison to the existing building, the height and massing of the adjacent buildings.

Impact on Amenity

- 6.16 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.17 Given the existing relationships between the adjacent houses on the north side of Sackville Crescent and residential blocks to the south, outlook from the front of the houses is already dominated to some extent by the three-storey flatted accommodation blocks. Given the position of the buildings located to the south of these properties and across a public highway, the increase in height is considered to be marginal and would not result in a loss of daylight, overshadowing or a loss of privacy to the neighbouring residents.
- 6.19 The proposed extensions would raise the height of the buildings by approximately 2.9 metres. However, given the nature of the mansard style extension and the low profile roofline they are not considered to create an undue amount of additional, height, bulk or massing.
- 6.20 It is noted that issues of disruption during construction have been raised in representations. This is not considered to be a material planning

consideration on which a refusal could be based. A Construction Method Statement is however recommended to be secured through condition.

- 6.21 On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

Environmental Issues

- 6.22 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.23 The extension relates to the upper floors of an existing building and presents no issues in relation to flood risk.
- 6.24 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 6.25 The site has a Public Transport Accessibility Level (PTAL) rating of 1b; meaning that the site has a poor access to public transport facilities. Therefore residential development in this location is required to provide a high car parking provision of 2-1.5 spaces per unit.
- 6.26 The proposal can demonstrate off street car parking provision for 8no. vehicles within an area adjacent to the existing garage court, to the rear of the apartment blocks on Sackville Crescent.
- 6.27 It is intended that the existing bin stores which serve each building would be refurbished and used by the occupants of the new flats. The existing refuse stores are easily accessible for refuse collectors and large enough to take on the additional capacity of waste.
- 6.28 The Local Highway Authority has raised no objection to the proposal in relation to the proposed amount of car parking provision and the access and servicing arrangements.
- 6.29 It is therefore considered that the proposed car parking and access arrangements are acceptable and would not result in highway safety or parking/ servicing issues.

Mayoral Community Infrastructure Levy

- 6.30 The proposed development will create 6no. new residential units with 384 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £7,680 (this may go up or

down, subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.31 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.
- 6.32 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.
- 6.33 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.
- 6.34 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.
- 6.35 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.
- 6.36 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.

6.37 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.

6.38 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 £36,000 for educational purposes would be appropriate.

7. Conclusion

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

7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the future occupiers. In this instance the proposal is considered to be acceptable in all material respects.

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

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 3 November 2015 and amended plans received on 25 August 2016.

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REGULATORY SERVICES COMMITTEE

8 December 2016

REPORT

Subject Heading:

P1609.16: Mountbatten House, Elvet Avenue, Gidea Park.

Internal modifications and rear extension to ground floor of tower block to provide Tenants Management Organization office and associated facilities (Application received 6 October 2016)

Ward

Squirrels Heath

Lead Officer

Helen Oakerbee
Planning Manager

Report Author and contact details:

Suzanne Terry
Planning Team Leader
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01708 432755

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

This application has been submitted on behalf of the London Borough of Havering. This has no material bearing on the planning considerations for this development. It concerns proposals to carry out internal modification works and construct a single storey extension to the rear of an existing block of flats to provide offices for the Tenants Management Organisation (TMO). The proposal will enable the removal of existing portacabin accommodation from the site. The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. Time Limit

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

Reason:-

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

2. Accordance with Plans

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

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from

the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. External Materials

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

Reason:-

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

4. Landscaping

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

Reason:-

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

5. Use of Building

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be

solely as an office for use by the Delta Tenant Management Organisation only and shall be used for no other purpose(s) whatsoever.

Reason:-

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

6. Removal of Portable Buildings

Within 1 month of the first bringing into use of the office hereby approved, the existing portacabin and storage container used by the Delta Tenant Management Organisation and the palisade fenced compound, as shown on drawing no. 253/02 Revision P1, shall be removed from the site and the land reinstated to a grassed area.

Reason:-

The structures are not acceptable on a permanent basis as they result in visual harm. The requirement to remove these and the fencing will bring about an improvement in the visual appearance of the locality and accord with Development Control Policies Development Plan Document Policy DC61

INFORMATIVES:

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

REPORT DETAIL

1. Site Description

- 1.1 The application relates to an existing residential block, Mountbatten House, which is situated on the eastern side of Elvet Avenue. The block forms part of the wider Delta Estate, which comprises a number of residential properties within Elvet Avenue and Durham Avenue. There is a Tenant Management Organisation (TMO) responsible for the estate which, for some time, has been accommodated in temporary accommodation located on open space to the southern side of Mountbatten House. This is within a compound enclosed by metal palisade fencing. There is also a steel storage container located here.
- 1.2 The estate is characterised primarily by residential accommodation provided in flatted blocks or maisonettes. The blocks generally are set within landscaped areas, with parking provided in garage blocks or small surface parking courtyards. Dreywood Court, an assisted living residential development, lies to the eastern boundary of the application site.

2. Description of Proposal

- 2.1 The application proposes the removal of the temporary accommodation that is currently used by the TMO and its replacement with purpose built accommodation. This would be achieved by internal alterations to remove a number of dis-used ground floor stores and an extension to the rear of Mountbatten House. This would remove around 17 stores with 19 still retained.
- 2.2 The extension would project 1.8m out from the rear elevation of the block and have a length of 13.6m. The office would provide office space and reception rooms for the TMO. The extension would be 3m high to a flat roof, with a rendered external finish and colour coated, aluminium framed windows. The building will have retractable security shutters, concealed beneath the lintels, with an opaque finish. The proposal would enable the removal of the existing portacabin and storage container.

3. History

- 3.1 P0445.05 Portable office building - granted (temporary planning permission until May 2006)

P0988.13 Reconfiguration and refurbishment and creation of a new office, change of use from C3 to B1 - approved

4. Consultation/Representations

4.1 Neighbour notification letters were sent to 126 local addresses and one letter of representation has been received, objecting to the proposal on the following grounds:

- Residential property should not be used as business premises, especially when there are people in need of homes
- Revenue wasted on restoring former office to residential and cost of portacabins
- Delta TMO do not benefit the estate
- Council should tackle parking issues on the estate

In response to the issues raised above, it should be noted that issues relating to the previous proposal to use a flat within Mountbatten House as a TMO office and to the cost of portacabins are not material planning considerations. Neither is the issue of how beneficial the TMO is to the estate as a whole.

4.2 Highways raise no objections to the proposals.

5. Relevant Policy

5.1 The National Planning Policy Framework, specifically Section 7 (Requiring good design) is relevant to these proposals.

5.2 Policies 6.13 (parking), 7.3 (designing out crime), 7.4 (local character) and 7.6 (architecture) of the London Plan, are material considerations.

5.3 Policies CP17 (Design), DC26 (Location of Community Facilities), DC32 (The Road Network), DC33 (Car Parking), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

6. Staff Comments

6.1.1 The issues arising from this application are the principle of the development, including the need for the proposal, the design and visual impact, impact on neighbouring amenity and parking and highway considerations.

6.1.2 The application is brought before Committee as it has been submitted on behalf of the Council and an objection has been received.

6.2 Principle of Development

6.2.1 The accommodation is required for the purpose of providing office accommodation for the Delta Tenant Management Organisation (TMO) and for the residents of the estate that use their service. The TMO was

established in 2006 and provides services assisting residents with matters such as day to day repairs and maintenance, so is integral to the way in which the estate is managed.

6.2.2 The TMO has for some time been based within temporary accommodation, that is not fully suitable for purpose and is reliant on the need for renewed planning permissions, given that the portacabin and storage container used are not considered visually to be acceptable on a permanent basis and have only ever benefitted from temporary consents. The existing temporary consents have, in fact, long since lapsed. This proposal therefore seeks to provide purpose-built, permanent accommodation that would meet the needs of residents and the TMO.

6.2.3 Staff consider that the development would be acceptable in principle as it meets the needs of residents of the estate. It is a purpose built structure that would be acceptable on a permanent basis. The proposal does involve the loss of some existing ground floor storage areas but these are currently un-let and storage would remain available to meet demand. The proposal would also have the benefit of prompting the removal of the existing, unsightly portacabin and storage container and the removal of palisade fencing.

6.2.4 Members may also note that planning permission was given in 2013 for the conversion of a flat into an office for the TMO. Staff have been advised that this has now been returned into residential accommodation (never having been used by the TMO as offices) and Staff consider that the proposal, which would prevent any need for loss of residential accommodation and enable the removal of the portacabin and storage container, would be an appropriate solution to the accommodation needs of the TMO. No objection is therefore raised to the development in principle.

6.3 Design and Visual Impact

6.3.1 The proposed extension is considered appropriate in terms of scale and design to the existing block. The materials are judged to be acceptable and in keeping with surroundings. The extension will have very limited visual impact owing to its location to the rear of the building.

6.4 Impact on Amenity

6.4.1 The proposed extension is a flat roofed building, maximum 3m high. It will occupy a position that is below the rear facing windows of the flats on the first floor of the block and so would not obstruct outlook from the windows. It is accepted it would change the outlook, as this is currently a grassed area, but the extension is not extensive and would occupy a limited section of this area, such that the impact is not judged materially harmful. The grassed area does not provide a high degree of amenity and it is noted that the proposal does include provision for additional landscaping here, which is judged would improve on the visual quality of the area.

6.4.2 The extension would be set over 5m from the boundary with Dreywood Court, which has a parking area adjacent to the site boundary. The extension is not therefore judged to be harmful to residents of Dreywood Court.

6.4.3 The extension will only be used for office purposes and not as a wider community facility so no issues relating to noise and disturbance are envisaged.

6.5 Parking and Highway Issues

6.5.1 The proposal does not give rise to any material parking issues. It is an estate office intended to be used by and on behalf of existing residents and is not expected to generate any material parking demand. There is no dedicated parking for the existing facility and the situation for the new facility will be no different. Issues raised in representations regarding parking are not judged to be directly arising from this application, but more to wider issues of parking on the estate as a whole, including potential commuter parking issues.

6.6 Mayoral Community Infrastructure Levy

6.6.1 The application is not CIL liable as the new floorspace to be created is less than 100 square metres.

7. Conclusion

7.1 The application is considered to be acceptable in principle. It is a purpose built facility that meets the needs of the Delta TMO and also enables the removal of existing temporary accommodation from the site. The proposal is acceptable in terms of design, impact on amenity and highway considerations. It is therefore recommended that planning permission is granted subject to conditions.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

This application has been assessed independently of the Council's interest as applicant and land owner, which has no material bearing on the planning considerations of this development.

Human Resource Implications:

None.

Equalities and Social Inclusion Implications:

The application provides purpose built facilities for the TMO, which serves the needs of all residents of the estate and is designed to be accessible to all.

BACKGROUND PAPERS

1. Application P1609.16 received 6 October 2016

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

8 December 2016

Subject Heading:

P1532.16 - Crownfield Junior School, White Hart Lane, Romford - New modular building to the junior school, consisting of 4 no. classrooms and toilets and a new netball court with a canopy over (received 24/10/16).

Lead Officer:

Helen Oakerbee - Planning Manager

Report Author and contact details:

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

Ward

Mawneys

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

This matter is brought before committee as the application site is Council owned and the application is contrary to Green Belt policy. The fact that the site is Council owned does not have any material bearing on the consideration of this planning application.

The application seeks planning permission for a new modular building to the junior school, consisting of 4 no. classrooms and toilets and a new netball court with a canopy over. Staff consider the application to be acceptable and recommend approval subject to conditions.

RECOMMENDATIONS

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

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

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

2. Materials - The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 10 of the application form unless otherwise agreed in writing by the Local Planning Authority.

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

3. 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. 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 breakdown 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.

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

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

6. Archaeology - No demolition or development shall take place until a stage 1 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, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no

demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. 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 stage 2 WSI.

Reason: To preserve a site of archaeological interest, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC70.

7. Review of parking restrictions - Within 18 months of the development being bought into use a review of parking restrictions in the area around the school shall be carried out and submitted to and approved by the Local Planning Authority. The review shall be aimed at reducing the impact of parent parking in the area to ensure that pedestrian desire lines across junctions and at other desire line locations are not unduly impeded.

Reason: To ensure the interests of highway safety and amenity and to accord with Policy DC32. To ensure the interests of pedestrians and address desire lines and to accord with Policy DC34. To manage the impact of parent parking in the streets surrounding the site and to accord with Policy DC33.

8. School Travel Plan - Prior to the occupation of the development hereby permitted, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall consider measures to reduce vehicular trips and proposals for monitoring and reporting progress to the Local Planning Authority and include a timetable for its implementation and review. The approved Travel Plan as revised shall remain in force permanently and implemented in accordance with the agreed details.

Reason: To help bring about a reduction in private car journeys, to minimise the potential for increased on street parking in the area, to mitigate the impact of increased private car journeys at peak times and to accord with Policy DC32.

9. 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.

INFORMATIVES

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

- 1.1 Crownfield Junior School is located on the western side of White Hart Lane in Collier Row. The school site is located in the edge of suburban Collier Row, with allotment gardens and the Educational Nature Reserve to the north and the River Rom and farm land to the west. The nearest residential properties to the schools are those located on White Hart Lane. The site is located within Metropolitan Green Belt.

2. **Description of development:**

- 2.1 The application seeks permission for a new modular building to the junior school, consisting of 4 no. classrooms, toilets and a new netball court with a canopy over. The building would have a width of approximately 38 metres, a depth of 11.6 metres and a height of 3.8 metres. The proposed materials include brickwork, and powder coated aluminium windows and doors.
- 2.2 The netball court would have a width of approximately 8.6 metres and a depth of 15 metres. The powder coated aluminium canopy with polycarbonate panels would have a maximum height of 7.9 metres.
- 2.3 Crownfield Junior School currently operates as a 3 form entry school, providing educational requirements for approximately 630 children aged from 5 to 11 years old from the surrounding local areas. The proposal seeks to expand the Junior school to a 4 form of entry raising the schools' total intake from 630 to 840 pupils. This will be done on a phased increase starting with

the implementation at Crownfield Infant School by September 2017 and by 2020 for Crownfield Junior School.

- 2.4 It is noted that there is a separate planning application, P1528.16, at Crownfield Infants School for a proposed school expansion which will consist of the following: a new stand alone building to expand the infants school consisting of 4 no. classrooms, toilets and a hall, the widening of an existing footpath, repositioning of an existing fence, re-positioning of pitch markings, demolition of the existing brick stores and breaking out large concrete slab and the formation of a new playground. This application is reported separately within the agenda.

4. **Relevant History:**

- 4.1 P0821.15 - Single storey extension to enlarge existing administration office and provide additional teaching space and associated internal alterations - Approved.

4.2 Crownfield Infants School

P1528.16 - Proposed school expansion which will consist of the following:- a new stand alone building to expand the infants school consisting of 4no. classrooms, toilets and a hall, the widening of an existing footpath, repositioning of an existing fence, re-positioning of pitch markings, the demolition of existing brick stores and breaking out large concrete slab and the formation of a new playground - to be determined.

5. **Consultations/Representations:**

- 5.1 The occupiers of 35 neighbouring properties were notified of this proposal. No letters of representation have been received.
- 5.2 Historic England - The planning application lies in an area of archaeological interest. Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that it is considered that a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two-stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by a condition and an informative if minded to grant planning permission.
- 5.3 Environmental Health - No objections or comments regarding contaminated land, air quality or noise.
- 5.4 Fire Brigade - No additional hydrants are required for this development. Not satisfied with the proposals in relation to firefighting access arrangements. A

plan showing the fire appliance access route to the new building has been requested. This should indicate the width of any roadway obstructions or gateways and if necessary the position of any turning point/hammerhead. The drive up appliance needs to be available to 15% of the perimeter of the new building.

- 5.5 The Highway Authority has provided the following comments. The proposal has been submitted without a transport assessment. Moving from a 3 form of entry to a 4 form of entry is a significant increase in pupil numbers and while it will take some time for numbers to fully increase across this and the parallel application for the infant school, there is some concern about the impact on travel in the local area. The site has a PTAL of 1b (very poor) and so it is certain that a proportion of new trips will be generated by car which could impact on the local network. The Highway Authority suggests that Members should consider the impact on travel in the local area in the balance of the requirements for new school places. It is noted that 9 new parking spaces are to be shared between both schools which is acceptable. Recommend three conditions and informatives if minded to grant planning permission.

6. **Relevant policies:**

- 6.1 Policies CP8 (Community Facilities), CP14 (Green Belt), CP17 (Design), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car parking), DC34 (Walking), DC35 (Cycling), DC45 (Green Belt), DC55 (Noise) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations. In addition, Policies 3.18 (Educational facilities), 6.13 (Parking), 7.16 (Green Belt) and 7.4 (Local character) of the London Plan and Chapters 7 (Requiring good design), 8 (Promoting healthy communities) and 9 (Protecting Green Belt Land) of the National Planning Policy Framework are relevant.

7. **Staff Comments**

- 7.1 This proposal is put before the Committee owing to the land being Council owned and the application is contrary to Green Belt policy. The issues arising in respect of this application will be addressed under the headings principle of development, impact on the streetscene, amenity issues and parking and highways implications.

7.2 **Principle of Development**

- 7.2.1 The site is currently in educational use with schools and associated hard surfaced areas and green open space including playing fields. The proposal would not change the use of the land - it would remain in educational use. Retaining community facilities (which includes education) is supported by Core Policy CP8 of the LDF. Furthermore, policy in the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools (para 72). Policy 3.18 of the London Plan states that development proposals which enhance education and skills provision will be

supported; proposals for new schools should be given positive consideration; multiple use of educational facilities for community or recreational use should be encouraged and proposals that encourage co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer. Staff therefore consider that the proposed development of the site for educational purposes would be acceptable in land use terms.

7.2.2 The main consideration in terms of the principle of the development relates to the Green Belt allocation of the site. National policy contained in the NPPF, reflected in LDF Policy DC45, states that the construction of new buildings inside the Green Belt is inappropriate unless it is for specified purposes. The proposed educational buildings are not within one of the specified purposes within the NPPF. Therefore the proposed development is inappropriate development, harmful to the Green Belt and is considered to be a departure from the development plan.

7.2.3 The NPPF states that inappropriate development should not be approved, except in very special circumstances. It is for the applicant to show why permission should be granted.

7.2.4 The following very special circumstances are considered to clearly outweigh the in principle harm to the Green Belt through inappropriateness:

- Demand for places across this area has been high with a projected deficit. Almost all the schools in this school planning area have already been expanded. However, due to the sustained and increasing demand, a further permanent expansion in this area is required. Both Crownfield Infants and Junior Schools are popular and good schools, thus they have been agreed as an appropriate location for additional numbers to be accommodated. The governing body of the Infant and Junior schools agrees with the proposal in-principle and supports a permanent solution with enhanced facilities suitable for the proposed increase in pupil numbers. The permanent expansion of both schools from three to four forms of entry is necessary in order to ensure that the Council fulfils its statutory duty of securing sufficient school places to meet the needs of children and families in Havering.
- The proposal would not change the use of the land - it would remain in educational use.
- The new classroom block has been carefully designed with a flat roof and has been positioned close to the existing buildings to minimise the impact on the Green Belt and preserve the open aspect of the site.

7.2.5 Staff consider that the policy position (with a favourable consideration for new educational facilities) and the very special circumstances apply such that the in principle harm to the Green Belt is clearly outweighed in this particular case.

7.3 Impact upon the Metropolitan Green Belt

7.3.1 It is considered that siting the single storey classroom building and netball court close to the existing school buildings assists in maintaining openness as the building would be viewed in the context of the existing development on site, although it is noted that the new building would extend beyond the existing envelope of buildings, rather than infilling it. The classroom building has a flat roof with a height of approximately 3.8 metres, which helps to minimise its bulk. The netball court would be a relatively open structure with a canopy roof comprising of polycarbonate panels, which would help to mitigate its impact. In light of the Very Special Circumstances forwarded by the applicant and, in particular, the need in the Borough for primary and secondary school places, it is considered that the harm to the openness of the Green Belt is clearly outweighed in this case.

7.4 Impact on the streetscene

7.4.1 It is considered that the single storey classroom building would not be harmful to the streetscene, as it would be located to the south of Crownfield Junior School and as such, would be largely screened by the existing school building. Also, the north eastern flank of the classroom building would be set in approximately 62 metres from White Hart Lane, which would help to mitigate its impact. It is considered that the single storey building has been designed in sympathy with the existing school buildings. Also, the modular building has a flat roof which minimises its bulk and is relatively low in height at approximately 3.8 metres.

7.4.2 Staff consider that the proposed netball court with a canopy roof would not adversely affect the streetscene, as it would be located to the south west of the application site and as such, would be largely screened by the existing school building, a detached classroom building and the proposed classroom building. Furthermore, the netball court would be a relatively open structure with a canopy roof comprising of polycarbonate panels, which would help to mitigate its impact.

7.5 Impact on amenity

7.5.1 It is considered that the classroom building would not be harmful to residential amenity, as it is single storey and its north eastern flank would be set in approximately 62 metres from White Hart Lane, which would help to mitigate its impact. Also, the classroom building has a flat roof which minimises its bulk and is relatively low in height at approximately 3.8 metres. Both the classroom building and the netball court would be located to the south and south west respectively of Crownfield Junior School and as such, would be largely screened by the existing school building and a detached classroom building. There would be a minimum separation distance of approximately 60 metres between the proposed classroom building and the rear garden of the nearest residential property at No. 59 White Hart Lane, which would help to mitigate the impact of the proposal. It is recognised that an additional two hundred and ten pupils across both school sites would increase noise and disturbance, although this would be balanced against

pupils utilising the whole of the school site. Given the existing use of the site as a school it is not considered the increase in pupil numbers would result in a material change in the character or use of the site sufficient to justify refusal on grounds of noise and disturbance.

- 7.5.2 It is considered that the netball court with canopy roof would not result in a significant loss of amenity to neighbouring properties in terms of noise and disturbance, as this parcel of land is currently used as an existing playing field. Staff consider that the netball court would not appear visually intrusive as it would be a relatively open structure with a canopy roof comprising of polycarbonate panels, which would help to mitigate its impact.

7.6 Highway/parking issues

- 7.6.1 The parking and highway issues have been collectively assessed for both Crownfield Junior and Infant Schools, as they have both submitted planning applications for new classroom buildings and share a car park on the application site. Crownfield Junior and Infant Schools presently have 630 full time education pupils and 35 staff (of which a proportion have part-time hours). Collectively, the proposals seek to provide a total of eight new classrooms (four each) for both Crownfield Junior and Infant Schools and expand the schools to 4 form entry. Therefore, there would be 210 additional pupils and 14 additional staff. There are 51 car parking bays on the site. When considering the merits of this application, it was noted the area of hardstanding on the site is rather limited and a few vehicles are being parked on grassed areas in an ad hoc fashion. The proposal involves the creation of 9 additional car parking spaces for both schools with an enlarged area of hardstanding and the parking bays will be marked out, which Staff consider would greatly improve the existing car parking arrangements. Furthermore, a car parking management policy will be introduced for both Crownfield Junior and Infant Schools.
- 7.6.2 The application site has a PTAL Rating of 1b. Annex 5 of the Development Plan Document sets a maximum staff car parking standard of 1 space per member of teaching staff. The proposal involves the creation of 9 additional car parking spaces, bringing the total to 60 car parking spaces for both schools with 49 staff (35 existing staff with an additional 14 staff post expansion). The provision of 60 car parking spaces would exceed the maximum requirement of 49 spaces, which is sufficient. The Highway Authority considers the staff parking element to be acceptable.
- 7.6.3 It is noted that the proposal has been submitted without a transport assessment. Moving from a 3 form of entry to a 4 form of entry is a significant increase in pupil numbers and while it will take some time for numbers to fully increase across both the Junior and Infant School sites, the Highways Authority have raised some concern about the impact on travel in the local area. The site has a PTAL of 1b (very poor) and so it is certain in their view that a proportion of new trips will be generated by car which could impact on the local network.

7.6.4 Parking and road safety impacts have been identified and require mitigation. Two mitigation measures have been suggested by Highways, namely a review of parking restrictions in the area around the school and the submission of a school travel plan to consider measures to reduce vehicular trips. Staff are satisfied that the measures proposed, which can be secured by planning condition, would be sufficient to mitigate against any adverse highways issues likely to arise from the development and that the proposal would be acceptable in this respect. It is recognised this is a matter of judgement and Members are invited to balance the statutory need to provide for school places against the likely increase in vehicle trips to and from the school and the impact this could have upon the local highway network.

8. **Trees**

8.1 The proposal would involve the removal of a tree to the south of Crownfield Junior School. As the tree is not subject to a Tree Preservation Order, there is no objection to its removal.

9. **Conclusion**

9.1 Staff are of the view that the proposed modular building to Crownfield Junior School, consisting of 4 no. classrooms, toilets and a new netball court with a canopy roof over are acceptable, would not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. As a matter of judgement, it is considered that the proposal would not create any highway or parking issues. The very special circumstances case put forward is considered to clearly overcome the identified harm to the Green Belt. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as owner of the site. The fact that the site is Council owned does not have any material bearing on the consideration of this planning application.

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 24/10/2016.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

8 December 2016

Subject Heading:

P1528.16 - Crownfield Infants School, White Hart Lane, Romford - Proposed school expansion which will consist of the following: a new stand alone building to expand the Infants School consisting of 4 no. classrooms, toilets and a hall, widening of an existing footpath, repositioning of an existing fence, repositioning of pitch markings, the demolition of existing brick stores, breaking out a large concrete slab and the formation of a new playground (received 28/10/16).

Lead Officer:

Helen Oakerbee - Planning Manager

Report Author and contact details:

Adèle Hughes
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01708 432727

Ward

Mawneys

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

This matter is brought before committee as the application site is Council owned and the proposal is contrary to Green Belt policy. The fact that the site is Council owned does not have any material bearing on the consideration of this planning application.

The application seeks planning permission for a proposed school expansion which will consist of the following: a new stand alone building to expand the Infants School consisting of 4 no. classrooms, toilets and a hall, widening of an existing footpath, repositioning of an existing fence, re-positioning of pitch markings, the demolition of existing brick stores, breaking out a large concrete slab and the formation of a new playground. Staff consider the application to be acceptable and recommend approval subject to conditions.

RECOMMENDATIONS

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

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

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

2. Materials - The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 10 of the application form unless otherwise agreed in writing by the Local Planning Authority.

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

3. 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. 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 breakdown 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.

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

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

6. Archaeology - No demolition or development shall take place until a stage 1 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, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. 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 stage 2 WSI.

Reason: To preserve a site of archaeological interest, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC70.

7. Review of parking restrictions - Within 18 months of the development being bought into use a review of parking restrictions in the area around the school shall be carried out and submitted to and approved by the Local Planning Authority. The review shall be aimed at reducing the impact of parent parking in the area to ensure that pedestrian desire lines across junctions and at other desire line locations are not unduly impeded.

Reason: To ensure the interests of highway safety and amenity and to accord with Policy DC32. To ensure the interests of pedestrians and address desire lines and to accord with Policy DC34. To manage the impact of parent parking in the streets surrounding the site and to accord with Policy DC33.

8. School Travel Plan - Prior to the occupation of the development hereby permitted, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall consider measures to reduce vehicular trips and proposals for monitoring and reporting progress to the Local Planning Authority and include a timetable for its implementation and review. The approved Travel Plan as revised shall remain in force permanently and implemented in accordance with the agreed details.

Reason: To help bring about a reduction in private car journeys, to minimise the potential for increased on street parking in the area, to mitigate the impact of increased private car journeys at peak times and to accord with Policy DC32.

9. 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.

INFORMATIVES

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

- 1.1 Crownfield Infants School is located on the western side of White Hart Lane in Collier Row. The school site is located in the edge of suburban Collier Row, with allotment gardens and the Educational Nature Reserve to the north and the River Rom and farm land to the west. The nearest residential properties to the schools are those located on White Hart Lane. The site is located within Metropolitan Green Belt.

2. **Description of development:**

- 2.1 The application seeks permission for 4 no. classrooms, toilets and a hall, widening of an existing footpath, repositioning of an existing fence, repositioning of pitch markings, the demolition of existing brick stores, breaking out a large concrete slab and the formation of a new playground.
- 2.2 The building would have a maximum width of approximately 29 metres, a depth of 17.5 metres and a height of between 3.2 and 5.2 metres. The proposed materials include brickwork, coloured render, a flat felted roof, powder coated steel roof covering and powder coated aluminium windows and doors. The building would comprise of four classrooms, toilets, store rooms and a multi-use hall.

- 2.3 Crownfield Infant and Junior School currently operates as a 3 form entry school, providing educational requirements for approximately 630 children aged from 5 to 11 years old from the surrounding local areas. The proposal seeks to expand the Infant school to a 4 form of entry raising the schools' total intake from 630 to 840 pupils. This will be done on a phased increase starting with the implementation at Crownfield Infant School by September 2017 and by 2020 for Crownfield Junior School.
- 2.4 The existing access walkway would be increased to a width of 3 metres and the existing fence would be relocated. The football pitch would be repositioned and a playground would be located adjacent to the proposed classrooms.
- 2.3 It is noted that there is a separate planning application, P1532.16, at Crownfield Junior School for a new modular building to the junior school, consisting of 4 no. classrooms and toilets and a new netball court with a canopy over, which is to be determined. This application is reported separately within the agenda.

4. **Relevant History:**

- 4.1 P0148.09 - Removal of dilapidated demountable classroom at rear of infant school building and change of use of the existing caretaker's bungalow to accommodate a pre-school playgroup, side extension and associated external works – Approved.

4.2 Crownfield Junior School

P1532.16 - A new modular building to the junior school, consisting of 4 no. classrooms and toilets and a new netball court with a canopy over - to be determined.

5. **Consultations/Representations:**

- 5.1 The occupiers of 36 neighbouring properties were notified of this proposal. No letters of representation have been received.
- 5.2 Historic England - The planning application lies in an area of archaeological interest. Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that it is considered that a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two-stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by a condition and an informative if minded to grant planning permission.

5.3 Environmental Health - No objections or comments regarding contaminated land, air quality or noise.

5.4 The Highway Authority has provided the following comments. The proposal has been submitted without a transport assessment. Moving from a 3 form of entry to a 4 form of entry is a significant increase in pupil numbers and while it will take some time for numbers to fully increase across this and the parallel application for the infant school, there is some concern about the impact on travel in the local area. The site has a PTAL of 1b (very poor) and so it is certain that a proportion of new trips will be generated by car which could impact on the local network. The Highway Authority suggests that Members should consider the impact on travel in the local area in the balance of the requirements for new school places. It is noted that 9 new parking spaces are to be shared between both schools which is acceptable. Recommend three conditions and informatives if minded to grant planning permission.

6. **Relevant policies:**

6.1 Policies CP8 (Community Facilities), CP14 (Green Belt), CP17 (Design), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car parking), DC34 (Walking), DC35 (Cycling), DC45 (Green Belt), DC55 (Noise) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 3.18 (Educational facilities), 6.13 (Parking), 7.16 (Green Belt) and 7.4 (Local character) of the London Plan and Chapters 7 (Requiring good design), 8 (Promoting healthy communities) and 9 (Protecting Green Belt Land) of the National Planning Policy Framework are relevant.

7. **Staff Comments**

7.1 This proposal is put before the Committee owing to the land being Council owned and the application is contrary to Green Belt policy. The issues arising in respect of this application will be addressed under the headings principle of development, impact on the streetscene, amenity issues and parking and highways implications.

7.2 **Principle of Development**

7.2.1 The site is currently in educational use with schools and associated hard surfaced areas and green open space including playing fields. The proposal would not change the use of the land - it would remain in educational use. Retaining community facilities (which includes education) is supported by Core Policy CP8 of the LDF. Furthermore, policy in the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools (para 72). Policy 3.18 of the London Plan states that Development proposals which enhance education and skills provision will be supported; proposals for new schools should be given positive consideration; multiple use of educational facilities for community or recreational use should be encouraged and proposals that encourage co-location of services

between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer. Staff therefore consider that the proposed development of the site for educational purposes would be acceptable in land use terms.

7.2.2 The main consideration in terms of the principle of the development relates to the Green Belt allocation of the site. National policy contained in the NPPF, reflected in LDF Policy DC45, states that the construction of new buildings inside the Green Belt is inappropriate unless it is for specified purposes. The proposed educational buildings are not within one of the specified purposes within the NPPF. Therefore the proposed development is inappropriate development, harmful to the Green Belt and is considered to be a departure from the development plan.

7.2.3 The NPPF states that inappropriate development should not be approved, except in very special circumstances. It is for the applicant to show why permission should be granted.

7.2.4 The following very special circumstances are considered to clearly outweigh the in principle harm to the Green Belt through inappropriateness:

- Demand for places across this area has been high with a projected deficit. Almost all the schools in this school planning area have already been expanded. However, due to the sustained and increasing demand, a further permanent expansion in this area is required. Both Crownfield Infants and Junior Schools are popular and good schools, thus they have been agreed as an appropriate location for additional numbers to be accommodated. The governing body of the Infant and Junior schools agrees with the proposal in-principle and supports a permanent solution with enhanced facilities suitable for the proposed increase in pupil numbers. The permanent expansion of both schools from three to four forms of entry is necessary in order to ensure that the Council fulfils its statutory duty of securing sufficient school places to meet the needs of children and families in Havering.
- The proposal would not change the use of the land - it would remain in educational use
- The new building has been carefully designed and has been positioned close to the existing buildings to minimise the impact on the Green Belt and preserve the open aspect of the site.

7.2.5 Staff consider that the policy position (with a favourable consideration for new educational facilities) and the very special circumstances apply such that the in principle harm to the Green Belt is clearly outweighed in this particular case.

7.3 Impact upon the Metropolitan Green Belt

7.3.1 It is considered that siting the classroom building close to the existing school buildings assists in maintaining openness as the building would be viewed in

the context of the existing development on site, although it is noted that the new building would extend beyond the existing envelope of buildings, rather than infilling it in any way. Staff consider that the playground, widening the footpath, repositioning the existing fence and re-siting the football pitch would not result in material harm to the openness of the green belt over and above existing conditions. In light of the Very Special Circumstances forwarded by the applicant and, in particular, the need in the Borough for primary and secondary school places, it is considered that the harm to the openness of the Green Belt is clearly outweighed in this case.

7.4 Impact on the streetscene

7.4.1 There is no objection to demolishing the brick stores or removing the concrete slab. It is considered that the classroom building would not adversely affect the streetscene, as its front façade would be set back approximately 83 metres from White Hart Lane, which would help to mitigate its impact. It is considered that the building has been designed in sympathy with the existing school buildings. The classrooms at the front of the building have a flat roof with a height of approximately 3.2 metres, which minimises its bulk. The pitched roof over the multi-use hall is located towards the rear of the building, which minimises its prominence.

7.4.2 Staff consider that the playground as well as re-positioning the football pitch and the fence would not adversely affect the streetscene. Both the football pitch and the playground would be located a minimum distance of approximately 50 metres from White Hart Lane.

7.5 Impact on amenity

7.5.1 It is considered that the proposed classroom building would not be harmful to residential amenity, as there would be a separation distance of approximately 55 metres between the northern flank of the building and the nearest residential properties at No.'s 1-5 Rutland House, which would help to mitigate its impact. The classrooms at the front of the building have a flat roof with a height of approximately 3.2 metres, which minimises its bulk. The pitched roof over the multi-use hall is located towards the rear of the building, which minimises its prominence. Staff consider that repositioning the football pitch and fence would not result in any impact on residential amenity over and above existing conditions. It is considered that the playground would not result in a significant loss of amenity to neighbouring properties in terms of noise and disturbance, as this parcel of land is currently used as an existing playing field. It is recognised that an additional two hundred and ten pupils across both school sites would increase noise and disturbance, although this would be balanced against pupils utilising the whole of the school site. Given the existing use of the site as a school it is not considered the increase in pupil numbers would result in a material change in the character or use of the site sufficient to justify refusal on grounds of noise and disturbance.

7.6 Highway/parking issues

- 7.6.1 The parking and highway issues have been collectively assessed for both Crownfield Junior and Infant Schools, as they have both submitted planning applications for new classroom buildings and share a car park on the application site. Crownfield Junior and Infant Schools presently have 630 full time education pupils and 35 staff (of which a proportion has part-time hours). Collectively, the proposals seek to provide a total of eight new classrooms (four each) for both Crownfield Junior and Infant Schools and expand the schools to 4 form entry. Therefore, there would be 210 additional pupils and 14 additional staff. There are 51 car parking bays on the site. When considering the merits of this application, it was noted the area of hardstanding on the site is rather limited and a few vehicles are being parked on grassed areas in an ad hoc fashion. The proposal involves the creation of 9 additional car parking spaces for both schools with an enlarged area of hardstanding and the parking bays will be marked out, which Staff consider would greatly improve the existing car parking arrangements. Furthermore, a car parking management policy will be introduced for both Crownfield Junior and Infant Schools.
- 7.6.2 The application site has a PTAL Rating of 1b. Annex 5 of the Development Plan Document sets a maximum staff car parking standard of 1 space per member of teaching staff. The proposal involves the creation of 9 additional car parking spaces, bringing the total to 60 car parking spaces for both schools with 49 staff (35 existing staff with an additional 14 staff post expansion). The provision of 60 car parking spaces would exceed the maximum requirement of 49 spaces, which is sufficient. The Highway Authority considers the staff parking element to be acceptable.
- 7.6.3 It is noted that the proposal has been submitted without a transport assessment. Moving from a 3 form of entry to a 4 form of entry is a significant increase in pupil numbers and while it will take some time for numbers to fully increase across both the Junior and Infant School sites, the Highways Authority have raised some concern about the impact on travel in the local area. The site has a PTAL of 1b (very poor) and so it is certain in their view that a proportion of new trips will be generated by car which could impact on the local network.
- 7.6.4 Parking and road safety impacts have been identified and require mitigation. Two mitigation measures have been suggested by Highways, namely a review of parking restrictions in the area around the school and the submission of a school travel plan to consider measures to reduce vehicular trips. Staff are satisfied that the measures proposed, which can be secured by planning condition, would be sufficient to mitigate against any adverse highways issues likely to arise from the development and that the proposal would be acceptable in this respect. It is recognised this is a matter of judgement and Members are invited to balance the statutory need to provide for school places against the likely increase in vehicle trips to and from the school and the impact this could have upon the local highway network.

8. Conclusion

- 8.1 Staff are of the view that 4 no. classrooms, toilets, a hall, the widening of an existing footpath, repositioning an existing fence, re-positioning of pitch markings, the demolition of existing brick stores, breaking out a large concrete slab and the formation of a new playground to Crownfield Infant School are acceptable, would not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. As a matter of judgement, it is considered that the proposal would not create any highway or parking issues. The very special circumstances case put forward is considered to clearly overcome the identified harm to the Green Belt. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as owner of the site. The fact that the site is Council owned does not have any material bearing on the consideration of this planning application.

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 28/10/2016.

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REGULATORY SERVICES COMMITTEE

REPORT

8 December 2016

Subject Heading:

P1097.16: 69 Newtons Close, Rainham

Part retention of existing outbuilding together with internal and external alterations to enable conversion to granny annexe (revised description). (Application received 5 July 2016)

Ward:

South Hornchurch

Lead Officer:

**Helen Oakerbee
Planning Manager (Applications)**

Report Author and contact details:

**Steven Hoang
Planner
steven.hoang@havering.gov.uk
01708 43 2643**

Policy context:

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

Financial summary:

None

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

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

SUMMARY

The proposal is for the part retention of an existing outbuilding together with internal and external alterations to enable it to be converted and used as a granny annexe. Proposed plans suggest that the annexe will consist of self-contained facilities including a bathroom, kitchen, bedroom and living room. The applicant has confirmed the proposed granny annexe would be occupied by an elderly relative.

A legal agreement is required to ensure that the annexe shall be used only for living accommodation ancillary to the existing dwelling known as 69 Newtons Close, Rainham, and shall not be used as a separate unit of residential accommodation at any time. Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and a Section 106 Agreement.

RECOMMENDATIONS

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

- That the residential annexe hereby approved shall be permanently retained as an annexe to the existing dwelling at 69 Newtons Close, Rainham and shall not be sub-divided or sold off separately from the main dwelling.
- 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 Assistant Director 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 hereby permitted shall not be commenced later than three years from the date of this permission.

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

2. Materials (Pre Commencement) – Materials should be as per approved plans and 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. Use as part of main dwelling - The building hereby permitted shall be used only for living accommodation as an integral part of the existing dwelling known as 69 Newtons Close, Rainham and shall not be used as a separate unit of residential accommodation at any time.

Reason: The site is within an area where the Local Planning Authority considers that the sub-division of existing properties should not be permitted in the interests of amenity, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. 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.

5. Additional windows and doors condition - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows or doors other than those expressly authorised by this permission shall be constructed in the elevations of the building hereby permitted.

Reason: The site is within an area where the Local Planning Authority considers that the sub-division of existing properties should not be permitted in the interests of amenity, and so that the development accords with Development Control Policies Development Plan Document Policy DC61.

6. Noise Impact Assessment (Pre Commencement) - Before any further development is commenced, an assessment shall be undertaken of the impact of noise upon the site and a scheme for protecting the proposed granny annexe from noise shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before the permitted building is occupied. Particular reference shall be given to noise arising from the nearby Substation.

Reason: To protect the amenity of occupiers of the proposed building given the close proximity of the substation and so that the development accords with Development Control Policies Development Plan Document Policy DC55

7. Balcony Condition - The roof area of the building 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.

8. Removal of permitted development rights and no subdivision of garden - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Article 3, Schedule 2, Part 2, Classes A and E, the rear garden shall not be subdivided and no additional gates, walls or enclosures shall be erected or constructed within the existing boundaries of the site aside from the new flank boundary treatment to Rainham Road as indicated by Drawing No. P/303 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 that the annexe approved remains ancillary to the main dwelling and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

INFORMATIVES

1. Reason for Approval

The proposal is considered to be in accordance with Policies DC33 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the Supplementary Planning Document (SPD) for Residential Extensions and Alterations. The proposal is also considered to be in accordance with the provisions of Policies 7.4 (local character) and 7.6 (Architecture) of the London Plan, and the provisions of the National Planning Policy Framework.

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 Mr Bennett, by telephone on 26.09.2016. The revisions involved reducing the scale of the proposed annexe. The amendments were subsequently submitted on 29.09.2016.

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

REPORT DETAIL

1. Background

- 1.1 It is noted that a previous planning application (Ref: P0554.06) for a two storey side extension for a granny annexe, together with a first floor rear extension and front porch was approved on 12.05.2006. The above extensions have been built. However, according to details submitted under a recent planning application (P1096.16) for a two storey rear extension (decision pending), the layout of the existing two storey side extension does not consist of an annexe, instead it is an addition to the main house. Given these circumstances, staff do not consider the proposal to be a second annexe to No.69 Newtons Close, Rainham.

2. Site Description

- 2.1 The application site is to the rear garden of a two storey, end of terrace dwelling located at the end of a no-through road that lies adjacent to the busy main highway of Rainham Road. The property has been extended previously by means of a two storey side extension together with a part single, part two storey rear extension and front porch. Works have commenced on the outbuilding already.
- 2.2 The locality is predominantly residential in character typified by two storey terraced properties, many of which have existing outbuildings to the rear garden and also some of which have been previously extended to the rear. A Substation is located close to the rear of the site.

3. Description of Proposal

- 3.1 Permission is sought to retain part of the existing outbuilding which is currently under construction together with proposed internal and external alterations to enable the building to be used as a granny annexe.
- 3.2 The proposed building will be approximately 2.8m high featuring a flat roof and about 11.3m wide and 5m in depth. New windows and doors are proposed to the front/side elevations together with a 'Polymer' rendered finish. A patio area is also proposed to the side of the building.
- 3.3 Plans indicate the annexe will consist of self-contained facilities including a bathroom, kitchen, bedroom and living room. The applicant has confirmed the proposed granny annexe is intended to be occupied by an elderly relative and not as a separate unit of residential accommodation.

4. Relevant History

- 4.1 P1096.16 – Erection of two storey rear extension – pending decision.
P0533.16 – Erection of single storey rear infill extension – approved.
P1757.15 – Erection of two storey rear infill extension – refused.
P0554.06 – Two storey side extension for granny annexe. New porch and first floor rear extension – approved.

5. Consultations/Representations

- 5.1 Letters of consultation were sent to neighbouring properties informing of them of the application. Objections were received from a neighbouring property.
- 5.2 The objector has raised concerns in respect of loss of privacy/overlooking, loss of light and loss of outlook. The above concerns are material planning considerations and thereby will be investigated accordingly.
- 5.3 It is acknowledged that the objector has stressed that their family members are elderly and suffer from health conditions. It should also be noted that the applicant has stated that the granny annexe is intended to be used to help assist the needs of an elderly relative who has recently been suffering deterioration in their health. Staff must assess the impact upon the amenity of neighbours as a material planning consideration, however, the impact upon neighbouring amenity must be taken as a general assessment and cannot focus upon particular or individual circumstances of neighbouring occupiers, including health conditions.
- 5.4 Concerns were also raised in respect of the distance between the building and the rear boundary as shown on the proposed plans. Staff consider the

details as shown on the drawings submitted to be sufficient for validation requirements and also for the purposes of determining this application.

- 5.5 The Environmental Protection Team requested the imposition of a planning condition requiring a noise impact assessment should the application be approved given the proximity of a substation to the building.

6 Relevant Policies

- 6.1 Policies DC33 (Car Parking), DC55 (Noise) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered material together with the Residential Extensions and Alterations Supplementary Planning Document. Policies 7.4 (local character) and 7.6 (Architecture) of the London Plan as well as the National Planning Policy Framework are relevant.

7 Staff comments

- 7.1 Negotiations were undertaken during the determination of this application to reduce the width of the building, setting the proposed granny annexe further in from the edge of the highway.

8. *Design/Impact on Streetscene*

- 8.1 The existing outbuilding is positioned close to the western boundary of the site, it is sited approximately 400mm-900mm from the edge of the highway, thus clearly visible from Rainham Road. The proposed granny annexe will be set in from the edge of the highway from about 2.8m-3.2m, at a height of approximately 2.85m and would be located behind fence. The proposed (adapted) annexe would be significantly less visually intrusive than the existing outbuilding when viewed from the public realm. Given the distance the annexe will be set from the edge of the highway, the proposal is not considered to harm the character of the streetscene.
- 8.2 With regard to the rear garden scene, it is acknowledged that there are several existing outbuildings situated within the surrounding rear gardens of the neighbouring properties along Newtons Close. The proposed annexe would appear as a box-like structure at the foot of the rear garden, providing a similar appearance to those existing neighbouring outbuildings outlined above. It is therefore considered that the proposed annexe would not appear out of character with the established garden scene and its scale and design is not considered to be unduly harmful.

9. *Impact on Amenity*

- 9.1 The Residential Extensions & Alterations SPD states that outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 9.2 There is an existing substation to the rear of the annexe. Given the separation distance provided by this substation, staff do not consider the proposal to cause a material loss of amenity to the neighbours located to the south of the site in terms of loss of outlook, overbearing impact or visual intrusion. In addition, the proposed annexe is set to the north of the above neighbours and thereby the loss of sunlight or overshadowing would be negligible. The rear garden is bounded by a close boarded fence which would serve to screen any views from the outbuilding to a considerable amount. In terms of the attached neighbouring property, the scale and siting of the proposed annexe is not considered to cause a material loss of amenity.
- 9.3 The annexe would not provide its occupiers with the normal standards of outlook and private amenity space expected. However, as it is to be used entirely in an ancillary capacity staff are of the view that these shortcomings are not so great as to justify refusing the application.
- 9.4 Staff consider that there would be comings and goings to the annexe and increased use of the garden area in a general sense but no more so than an outbuilding in use as a hobby, games and garden room, particularly in the summer months. As such, staff are of the view that the conversion and remodelling of the outbuilding proposed as a residential annexe would not give rise to an unacceptable level of noise and disturbance and would be unlikely to give rise to significant adverse impacts.
- 9.5 It is still considered reasonable to impose conditions removing permitted development rights in respect of the insertion of additional windows and openings in the proposed building, to avoid the potential for overlooking and increased noise transmission. It is also considered necessary to impose a condition to remove permitted development rights in Class A for extensions, and in Class E for ancillary buildings and structures as these are the classes that could result in further intensification of use of the curtilage to the possible detriment of neighbouring residents' living conditions and reduction in the amount of amenity space provision. Officers also consider it necessary for this condition to remove the PD rights under Class A Part 2 for fencing and walling as these rights could result in the curtilage being subdivided. In this instance it would also be necessary to include a condition restricting the occupancy of the annexe to purposes connected to the residential use of the main dwelling at 69 Newtons Close.
- 9.7 The use of the proposal as a separate dwelling may result in different impacts which have not been assessed as part of this application and

therefore the recommended conditions and legal agreement are to ensure that the site is not subdivided or the granny annexe is used as a separate dwelling..

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

10. *Environmental Issues*

- 10.1 Environmental Protection have requested that a pre-commencement planning condition is imposed for a noise impact assessment to be submitted and approved by the Local Planning Authority in the event of planning permission being granted to ensure that any potential impact from the nearby substation is appropriately assessed.

11. *Parking and Highway Issues*

- 11.1 The development is not considered to adversely affect car parking provisions or impact on the use and efficiency of the highway.

12. *Mayoral Community Infrastructure Levy*

- 12.1 The additional floor space created by the granny annexe would not exceed 100 square metres, as such, is not liable for Mayoral CIL.

13. *Conclusion*

- 13.1 The proposed granny annexe would demonstrate clear connections with the main dwelling and its use would be entirely in an ancillary capacity to No.69 Newtons Close. The development would not harm the established rear garden setting and officers are of the opinion that the proposal would not result in an undue impact on the amenity of neighbouring residents.
- 13.2 As such the proposal is considered to be in accordance with the provisions of Policy DC61 and the Residential Extensions & Alterations SPD and it is recommended that planning permission is granted.

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required for the drafting of a legal agreement.

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 form, drawings and supporting statements received on 5 July 2016 and amended proposals received on 29 September 2016.