



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
6 April 2017**

**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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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 - 12)

To approve as a correct record the minutes of the meeting of the Committee held on 16 March 2017 (attached) and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 13 - 84)

Attached.

6 P0092.17 - 25/29 MARKET PLACE, ROMFORD (Pages 85 - 106)

Report attached.

7 P2048.16 - PURBECK HOUSE, 230-234 HORNCHURCH ROAD, HORNCHURCH
(Pages 107 - 126)

Report attached.

8 P1513.16 - NEWSTEAD HOUSE, TROOPERS DRIVE, ROMFORD (Pages 127 - 144)

Report attached.

9 P1474.13 - WHITE BUNGALOW, SOUTHEND ARTERIAL ROAD, UPMINSTER
(Pages 145 - 160)

Report attached.

10 P1860.16 - 6 EASTERN AVENUE EAST, ROMFORD (Pages 161 - 182)

Report attached.

11 P1986.16 - 28 OSBORNE ROAD, HORNCHURCH (Pages 183 - 204)

Report attached.

12 P0250.17 - JAMES OGLETHORPE SCHOOL (Pages 205 - 216)

Report attached.

13 P0206.17 - RAINHAM PRIMARY SCHOOL, UPMINSTER ROAD SOUTH, RAINHAM
(Pages 217 - 232)

Report attached.

14 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

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Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Council Chamber - Town Hall
16 March 2017 (7.00 - 9.45 pm)**

Present:

COUNCILLORS: 11

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

Residents' Group Stephanie Nunn and Reg Whitney

East Havering Residents' Group Linda Hawthorn and +Linda Van den Hende

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

An apology was received for the absence of Councillor Alex Donald.

Substitute members: Councillor Linda Van den Hende (for Alex Donald).

Councillors Osman Dervish, John Wood and Jeffrey Tucker were also present for parts of the meeting.

15 members of the public were present.

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

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

195 **MINUTES**

The minutes of the meeting held on 23 February were agreed as a correct record and signed by the Chairman.

196 **P1373.16 - 31 HIGH STREET, HORNCHURCH**

The proposal before Members was for the construction of an A1 food store within Hornchurch town centre. Planning permission had previously been

granted to demolish the former bingo hall building which currently occupied the site.

Following deferral at the Committee meeting on 22 December 2016, the application was again deferred at the 2 February 2017 Committee meeting, on the sole issue of vehicular access/egress concerns at the site entrance onto the High Street. Members had made it clear that they were otherwise satisfied with the proposal.

Members had been concerned about the risk of the proposal exacerbating traffic congestion in the surrounding network, especially in the High Street, and had asked Staff to seek that the applicant design a workable and enforceable scheme to address the impact of vehicle movement into and from the High Street, likely to involve a left turn in and left out only configuration. Members had set out that this should consider physical engineering solutions, including for example reconfiguring the access layout, its detailed position, restrictions at the site entrance/ exit to restrict direction of vehicle travel, and potentially highway based measures such as road markings, CCTV and signage with these to be met at the developers cost and covered by legal agreement as necessary. Members had also wished to see potential use of signage and promotion of restrictions to store users to optimise enforcement of the measures.

Members had also wanted to see the chosen solution emerge from a high level option appraisal of other potential but dismissed alternatives.

In response, the applicant had considered a range of options for the site access arrangements and prepared an appraisal, which was set out in the report.

During the debate Members discussed traffic and pedestrian movements when accessing and egressing the site.

Members also discussed the options for the provision of CCTV cameras and the possibility of introducing moving traffic contraventions.

The Committee noted that the proposal qualified for a Mayoral CIL contribution of £14,940 and it was **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 £48,750 to be paid prior to the opening of the store to be used for the following:
 - i) highway works in respect of pavement improvements to the High Street.
- 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 it be delegated to the Assistant Director of Regulatory Services to grant planning permission subject to prior completion of the legal agreement but incorporate into that a requirement that the developer make an additional contribution to cover the funding for provision and implementation of a CCTV camera to monitor compliance with highway regulations in the vicinity of the site access and also to cover the costs of adding this to the schedule of Moving Traffic Offences. If the latter two items weren't agreed then consideration of the item would be brought back to Committee for determination.

197 **P1858.16 - DURY FALLS, 35 UPMINSTER ROAD**

The report before Members detailed an application for the conversion of the former Dury Falls Residential Care Home into eight residential units. The project aims to restore the listed building which included the 17th century Manor House.

During a brief debate Members sought clarification of the design of the extensions.

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:

- A financial contribution of £48,000 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.

198 **P2060.16 - EXCHANGE HOUSE, 107 BUTTS GREEN ROAD, HORNCHURCH**

The proposal before Members was for a third floor extension to create one two-bedroom flat with private amenity space on the roof of the converted telephone exchange, together with the extension and alteration of the existing stairwell and external areas including two new car parking spaces. The flat would be accessed from the existing internal staircase, whilst amenity space for the flat consisted of a terrace that was fenced off.

Members noted that the application had been called in to committee by Councillor Steven Kelly to discuss the height changes so prevalent on council owned property and seemingly not on private schemes.

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

The objector commented that the proposal would be out of keeping within the streetscene and would harm the character of the building. The objector also commented that residents using the additional parking spaces would have to reverse out onto a main road. The objector concluded by commenting that existing resident's amenity would be greatly affected during the construction period.

The applicant's agent responded by commenting that careful consideration had been given to the proposal which had allowed for the proposal to be set back from the front of the existing building. The agent concluded that the proposal complied with the local development plan and would not be detrimental on the area.

During a brief debate Members discussed the impact the proposal would have on the area and clarified the reasons as to why officers had recommended the proposal for refusal.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission it was **RESOLVED** that it be delegated to Assistant Director of Regulatory Services to grant planning permission contrary to recommendation and subject to prior completion of a legal agreement to secure an education places contribution plus the imposition of planning conditions.

The vote for the resolution to delegate the granting of planning permission was carried by 10 votes to 1.

Councillor White voted against the resolution to delegate the approval of planning permission.

199 **P2017.16 - 188 UPMINSTER ROAD SOUTH, RAINHAM**

The report before Members detailed a proposal for the demolition of existing rear additions and the erection of a single storey rear extension to create an additional residential flat; a part first floor rear extension to extend the existing self-contained flat; and the installation of an additional shop front and use of the existing side store to be used as a separate retail unit if required.

Members noted that the application had been called-in by Councillor Jeffrey Tucker. The reasons for the call-in were that he considered that the proposal would provide adequate private parking for one vehicle and would result in an improvement to the site.

With its agreement Councillor Jeffrey Tucker addressed the Committee.

Councillor Tucker commented that the proposal would provide one bedroom accommodation for one person and that parking would be provided. Councillor Tucker also commented that the proposal would be a vast improvement to the area. Councillor Tucker concluded that the applicant wanted to keep the shop open as it provided a good service to the locality.

During a brief debate Members sought and received clarification of the parking provision and the curtilages of the site.

The report recommended that planning permission be refused however following a motion to grant planning permission it was **RESOLVED** to delegate to the Assistant Director of Regulatory Services to grant planning permission contrary to recommendation and subject to prior completion of a legal agreement to secure an education places contribution plus the imposition of planning conditions.

200 **P2041.16 - 7 GLENTON WAY, ROMFORD**

The report before Members proposed the demolition of an existing garage and construction of new dwelling adjoining the existing with private amenity space, off street car parking and a new double garage.

Members noted that the application had been called-in by Councillor Osman Dervish as he believed that the dwelling being proposed would be in keeping with other homes in the area and provide decent family housing

which was much needed in the borough. Furthermore, its impact on the streetscene deserved closer scrutiny given other schemes locally.

With its agreement Councillor Osman Dervish addressed the Committee.

Councillor Dervish commented that the proposal would provide additional housing for the family of the existing occupier. Councillor Dervish also commented that the proposal was not detrimental to the streetscene and would provide good amenity space for the future occupier. Councillor Dervish concluded by commenting that the proposal was of a similar nature to previously agreed schemes in the area and would also provide additional funding for school places as part of the legal agreement.

During a brief debate Members sought and received clarification of the proposed room sizes and the future layout of neighbouring properties in relation to the proposal site.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission which was carried by 7 votes to 3 with 1 abstention it was **RESOLVED** to delegate to the Assistant Director of Regulatory Services to grant planning permission contrary to recommendation and subject to prior completion of a legal agreement to secure an education places contribution plus the imposition of planning conditions.

The vote for the resolution to delegate the approval of planning permission was carried by 7 votes to 3 with 1 abstention.

Councillors Misir, Best, Kelly, Wallace, White, Nunn and Whitney voted for the resolution to delegate the granting of planning permission.

Councillors Hawthorn, Van den Hende and Martin voted against the resolution to delegate the granting of planning permission.

Councillor Williamson abstained from voting.

201 **P1538.16 - 17-19 CLOCKHOUSE LANE, ROMFORD**

The proposal before Members was for a change of use from a shop (A1) to a restaurant (A3) at 17 Clockhouse Lane, a new seating area to the existing restaurant at 19 Clockhouse Lane, new shop fronts and the amalgamations of the ground floors at 17-19 Clockhouse Lane.

Members noted that the application had been called-in by Councillor Ray Best on the grounds that there was sufficient public interest generated, confirmed by a petition and numerous letters in support of the application.

During a brief debate Members discussed the current set up and operation of the business.

The report recommended that planning permission be refused however following a motion to approve the granting of planning permission which was carried by 8 votes to 3 it was **RESOLVED** to delegate to the Assistant Director of Planning subject to imposition of planning conditions to grant planning permission and to include a specific requirement that within three months of the use first commencing that an extract filtration and extract system should be installed and operated in full accordance with a scheme which shall previously have been submitted to and agreed in writing with the Local Planning Authority.

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

Councillors Misir, Best, Kelly, Wallace, White, Van den Hende, Nunn and Whitney voted for the resolution to delegate the granting of planning permission.

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

202 **P1990.16 - MOUNT PLEASANT FARM, SOUTHEND ARTERIAL ROAD, HORNCHURCH**

The report before Members proposed removal of industrial buildings and the development of nine residential properties and garages.

During the debate Members discussed the current untidy and unkempt condition of the site and there was general agreement that the site needed attending to.

Members also discussed the judgment call that was needed between tidying the site and the loss of the Green Belt.

Members also discussed the existing controls that were in place regarding the current use of the land.

Members also sought and received clarification relating to the current use and the enforcement action that could be taken.

Discussions also took place relating to the possible landscaping conditions that could be included with an approval of planning permission.

The report recommended that planning permission be refused. Following a motion to approve the granting of planning permission which was lost by 4 votes to 7 It was **RESOLVED** that consideration of the item be deferred to provide staff the opportunity to seek to negotiate revisions to the proposal based on:

- Residential site curtilage material similar to the 2007 bungalow scheme which had been resolved acceptable subject to completion of a legal agreement
- That all other land used for the current commercial activity and not forming part of the above residential curtilage be returned to open Green Belt condition
- In accordance with details to be set out within the application
- That all commercial activity on the entire site be extinguished via legal agreement
- That the residential development comprise of single storey/low rise buildings only
- That the proposal included extensive, well considered landscaping especially around the site margins
- Confirmation of the applicant's intended completion of legal agreement for education contributions

In event of the applicant either deciding to revise or to keep the proposal as is without amendment either the application would be brought back to the Committee for determination.

Members also noted that if a scheme became resolved as acceptable further engagement would be needed with the Mayor for London on Green Belt related referral plus referral to the Secretary of State in accordance with the 1999 Direction Order.

The vote for the resolution to defer consideration of the item was carried by 7 votes to 4.

Councillors Misir, Wallace, Hawthorn, Van den Hende, Whitney, Martin and Williamson voted for the resolution to defer consideration of the item.

Councillors Best, Kelly, White and Nunn voted against the resolution to defer consideration of the item.

203 P2030.16 - HEXAGON HOUSE, 5 MERCURY GARDENS

The proposal before Members was for the erection of 58 flats on top of the existing Hexagon House building.

The current scheme differed from the previous submission in that the amount of storeys proposed had been reduced from 5 to 4 and the new residential units from 71 to 58. The applicant had also revised the internal layout by removing the 3-bedroom units. The current scheme proposed 30 1-bedroom units and 28 2-bedroom units of additional accommodation.

During a brief debate Members raised issues that had been raised previously about the larger proposal and felt that the newly submitted proposal changed very little.

The report recommended that planning permission be approved however following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused as per the reasons for the previous refusal except for refinement of the amenity based reason so it related specifically to the inadequacy of communal amenity space within the development.

204 **P1965.16 - TARA, SOUTHEND ARTERIAL ROAD - VARIATION OF CONDITION 2 OF P1195.14 TO ALLOW ALTERATIONS TO THE APPEARANCE AND INTERNAL LAYOUT OF THE PROPOSED NEW RESIDENTIAL BLOCK**

The Committee considered the report noting that the proposal qualified for a Mayoral CIL contribution of £10,902 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement, completed on 2 November 2015, in respect of planning permission P1195.14 by varying the definition of Planning Permission which should mean either planning permission P1195.14 as originally granted or planning permission P1965.16 and any other changes as may be required from this, to secure the following:

- A financial contribution of £48,000 to be used towards infrastructure costs and paid prior to the commencement of development in accordance with the Planning Obligations Supplementary Planning Document.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- Payment of the appropriate planning obligations/ 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 that the Committee delegate authority to the Head of Regulatory Services to grant planning permission subject to the conditions as set out in the report.

205 **P1815.16 - 92 KINGSTON ROAD, ROMFORD - ALTERATIONS AND EXTENSIONS TO THE EXISTING GARAGE TO CREATE A SINGLE STOREY GRANNY ANNEX**

The Committee considered the report and without debate **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to the 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 92 Kingston Road, Romford 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 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.

206 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The Committee considered a report that updated Members on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to prior completion or a planning obligation. This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2017.

The Committee **NOTED** the report and the information contained therein.

207 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 3 December 2016 and 24 February 2017.

The report detailed that 63 new appeals had been received since the last meeting of the Monitoring Committee in December 2016.

The Committee **NOTED** the report and the results of the appeal decisions received.

208 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in December 2016.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

209 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

210 **SCHEDULE OF COMPLAINTS**

Members had previously been emailed a schedule which listed the complaints received by the Planning Control Service regarding alleged planning contraventions for the period 3 December 2016 to 24 February 2017.

The Committee **NOTED** the report and **AGREED** the actions of the Service.

211 **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



Havering

LONDON BOROUGH

Regulatory Services Committee

6th April 2017

Application No.	Ward	Address
P1892.16	Cranham	52 Ingrebourne Gardens, Upminster
P1990.16	Emerson Park	Mount Pleasant Farm, Southend Arterial Road, Hornchurch
P0038.17	Brooklands	Crowlands Heath Golf Club, Wood Lane, Dagenham
P0064.17	Emerson Park	65-67 Wingletye Lane, Hornchurch
P0067.17	Upminster	Coopers Company and Coburn School, St Marys Lane, Upminster.
P0080.17	Cranham	Land 320m north of Franks Farm, Western side of the M25, Upminster
P0098.17	Brooklands	5 Astor Avenue, Romford
P0143.17	Brooklands	32 Drummond Road, Romford.
P0234.17	Hylands	Park House, 157 Park Lane, Hornchurch
P0308.17	Brooklands	52 Crow Lane, Romford

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P1892.16

WARD: Cranham

Date Received: 9th December 2016

Expiry Date: 11th April 2017

ADDRESS: 52 Ingrebourne Gardens
UPMINSTER

PROPOSAL: Two storey side extension, single storey front extension. and single storey part two storey rear extension.

DRAWING NO(S): P-001
P_002
P_003
P_004 Rev E
P_005 Rev E
P_006 Rev E
P_007 Rev E
P_008 Rev E

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

CALL-IN

A call in has been received from Councillor Barrett on the grounds that the proposal would create a loss of light to adjoining property and also the bulk of the proposal would impact on the amenity of adjoining neighbour.

SITE DESCRIPTION

Residential, hipped roof, two storey semi-detached dwelling finished in face brick. ample parking on the driveway to the front of the property. The garage is too small to accommodate a modern motor vehicle. The surrounding area is characterised by single and two dwellings of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a two storey side and single storey front extension with a single and part two storey rear extension..

RELEVANT HISTORY

ES/HOR 821/51- Houses - Approved.

L/HAV 6166/72 - Replace 4 foot brick wall with 6 foot concrete fence - Approved.

L/HAV 2106/76 - Bedroom - Kitchen Extension - Withdrawn.

L/HAV 692/77 - Extension - Refused.

CONSULTATIONS / REPRESENTATIONS

One e-mail of representation was received with their comments summarised below.

- Physical scale and height of the proposal.
- Loss of light to neighbouring dwelling and garden.
- Loss of privacy from the proposal as it would overlook neighbouring dwelling and garden.
- Physical characteristics, proposal would not be in keeping with their property and other properties.

The Environmental Health Department have no objections or comments in terms of noise, contaminated land or air quality in relation to this application.

RELEVANT POLICIES

LDF

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

OTHER

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

MAYORAL CIL IMPLICATIONS

This application would not be CIL liable.

STAFF COMMENTS

Negotiations were undertaken during the planning process to reduce the impact on the adjacent neighbours and on the surrounding area. The agent was requested to make the following changes:

- First floor side extension to have 1m set back.
- Gap between side extension and boundary to be shown on plans.
- Depth of front extension to be reduced to mirror attached neighbour's front extension.
- Depth of first floor rear extension to be reduced to comply with Council guidelines.

As a consequence of reducing the depth of the first floor rear extension, a mono-pitched roof would connect the ground and first floor rear extension and the width of the first floor rear extension was increased. Revised plans were received to be formally assessed and neighbours were re-notified of the changes.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The two story side and single storey front extension would be visible from the street. A new mono-pitched roof is proposed over the existing porch and proposed ground floor side extension which projects forward of the recessed wall. It is considered that the proposal would relate acceptably to the existing property.

The reduction of the depth of front extension to mirror the attached neighbour would provide a

sense of symmetry. It is noted that the depth of the front extension would still be in excess of the 1m normally permissible, however, mindful that the depth of the front extension would be similar to the attached neighbour, it is considered that this part of the proposal would be acceptable.

In addition, the provision of the 1m setback on first floor side extension would create a break in the roof line and provide a lower ridge line to provide a subservient appearance and to balance out the pair of semi-detached properties.

It is considered that the proposal would not unacceptably impact on the street scene fronting Ingrebourne Gardens and no objections are raised from a visual point of view.

The proposal would also be visible from the rear garden environment and from Eversleigh Gardens which backs onto the rear of the site. The single and two storey rear extension would relate acceptably to the existing property and it is considered the proposal would not unduly impact on the street scene or the rear garden environment. The revised plans have increased the width of the first floor rear extension and would be marginally wider than the adjoining neighbour's first floor extension. It is nevertheless considered that the proposal would be of an acceptable design and will relate well with the existing dwelling in terms of bulk, scale and massing. The single storey rear extension is of acceptable size and scale.

Similarly, this form of development as proposed has been replicated within the surrounding area and no objections are raised from a visual point of view.

IMPACT ON AMENITY

Consideration has been given to the impact on neighbouring dwellings in terms of loss of light and loss of privacy.

The two storey side, first floor rear extension and single storey front extension would be located on the east side of the dwelling. It is not envisaged that the proposal would have any impact on the amenity of the attached neighbour at No.50 Ingrebourne Gardens as they are located to the west and the proposal would be located on the opposite side of the dwelling, well away from this neighbour.

The depth of the ground floor rear extension is deeper than the 4m normally permissible at 4.6m. However the single storey rear extension to the attached neighbour's property would mitigate the impact, resulting in a projection of 0.6m beyond this. It is not judged this would lead to material harm to the amenity of the adjoining neighbour.

The depth of the first floor rear extension would be in excess of the 3m normally permissible at 3.5m, however, this extension would be set off the common boundary by approximately 3.9m. It is noted the proposed first floor rear extension would not infringe upon a notional line taken from common boundary with No.50 Ingrebourne Gardens at first floor level, created by a 2m separation distance and the 3m depth of the extension, this is due to the separation distance between the boundary and the extension. It is considered the proposed first floor rear extension would not impact on the amenity of this attached neighbour, as the proposal complies with Council guidelines. No objections are raised from a neighbourliness point of view.

No.53 Eversleigh Gardens lies to the south-east of the application site and has benefited from a single storey rear extension and loft extension in the form of a side dormer window. This neighbour's relationship is quite unusual as this resident's rear garden is adjacent to the front of the application dwelling.

The corner of the rear extension at No.53 Eversleigh Gardens would be approximately 1.83m off the boundary and this would taper out to approximately 3.37m at the kitchen door. Further to the case officer's site visit it is noted that there a number of flank windows adjacent to the application site and these windows serve, from front to rear, a bathroom, kitchen window/door, another kitchen window serving dining area and two windows to the lounge.

Less weight would be applied to the bathroom window and the flank windows serving the lounge as these would either serve a non-habitable area or are secondary light sources. The lounge has a glazed patio door facing the garden and another window facing No.55 Eversleigh Gardens.

It is considered that the side dormer window would be sufficiently set away from the boundary not to be unacceptably impacted by the proposed development.

Of a greater concern would be the potential impact on the kitchen windows and door. Due to the position of the proposed two storey side and single/two storey rear extension, it may be deemed that the proposal would have a detrimental impact on the amenity of this neighbour.

However, Staff consider there are factors that weigh towards the proposal being considered acceptable. Negotiations were undertaken to reduce the depth of the first floor rear extension. The proposal would be set off the boundary with No.53 Eversleigh Garden by approximately 0.7m and when this is added to separation distance between the kitchen window nearest the garden which is approximately 3.2m this would help to alleviate the impact of the proposed development.

Orientation is particularly important and extensions of this kind may be acceptable where they are proposed to the north of the adjoining property. Given the fact the neighbouring dwelling at No.53 Eversleigh Gardens lies to the south west of the application dwelling, no loss of sunlight would arise.

It is noted that the kitchen/dining area would have a reduction in light. The tall narrow window adjacent to the kitchen table could be deemed to be secondary light source as the majority of the light comes from the glazed kitchen door and the other window. Staff consider on balance that it would be difficult to substantiate a refusal on appeal on a loss of amenity given the separation distances, the range of light sources to the kitchen and the favourable orientation. Nevertheless the proposals do present a judgement as to the acceptability of the impact on the adjoining neighbour.

Given these circumstances and mindful of the of the general presumption in favour of development and the particular relationship to this neighbour in relation to the favourable orientation and aspect, any additional light loss to neighbouring property is considered to be modest and acceptable.

The submitted plans show that four flank windows are proposed, however, they all serve non-habitable areas, should the application be approved then a condition would be imposed for all the

windows to be obscured glazed and fixed shut apart from open-able fanlights. These measures are proposed to protect the privacy of the adjacent neighbours.

Concerns regarding the potential overlooking from the first floor window would be unreasonable, as the first floor windows along this section of Ingrebourne Garden and Eversleigh Gardens afford views over the rear garden areas of surrounding neighbouring properties. Additionally, these areas are already overlooked by the existing first floor windows of the subject property and by other neighbouring properties. In these circumstances it is considered that any additional loss of privacy will not be of a degree to warrant a refusal of this application.

However, the nearest window to the boundary at the front and rear of the first floor side/rear extension serve a walk in wardrobe and en-suite and should the application be approved a similar condition would be imposed for these windows to be obscured glazed and fixed shut apart from open-able fanlights.

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

HIGHWAY / PARKING

The application site has a PTAL of 1b. It is considered that the ample of street parking on the driveway would be sufficient for a property of this size and therefore no highway or parking issues would arise as a result of the proposal.

KEY ISSUES / CONCLUSIONS

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

RECOMMENDATION

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

1. 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. SC10C Materials as per application form

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. SC32 (Accordance with plans)

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

Reason:-

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

4. SC34B (Obscure with fanlight openings only)

The proposed flank windows serving the downstairs wc , the utility room, the first floor en-suite and the bathroom, in addition to the first floor en-suite on the rear elevation and the wardrobe area of bedroom 1 immediately adjacent to the boundary with No.53 Eversleigh Gardens as shown on drawings P_004 Rev E, P_005 Rev E & P_008 Rev E shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) shall remain permanently fixed shut and thereafter be maintained.

Reason:-

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

5. SC45 (Standard Porch Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no porches shall be erected to the front or side of the extension hereby permitted, without the express permission in writing of the Local Planning Authority.

Reason:-

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

6. SC46 (Standard flank window condition)

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

Reason:-

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

7. SC48 (Balcony condition)

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

Reason:-

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

INFORMATIVES

1. **Non Standard Informative 1**

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

2. **Approval following revision**

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with Mr Maltby (agent) by e-mail and phone. The revisions involved reducing the depth of the front extension, provide a 1m setback at first floor level at the front of the dwelling on the side extension and to reduce the depth of the first floor rear extension. The amendments were subsequently submitted on 06/02/17 & 16/02/17.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 16th March 2017

APPLICATION NO. P1990.16
WARD: Emerson Park **Date Received:** 5th January 2017
Expiry Date: 2nd March 2017
ADDRESS: Mount Pleasant Farm
Southend Arterial Road
Hornchurch
PROPOSAL: Proposed removal of industrial buildings and the development of 9 residential properties and garages.
DRAWING NO(S): Existing Site Plan F519/01 Rev A
Proposed Site Plan F519/02 Rev D
Proposed Plot1 F519/03
Proposed Plot 2 F519/04
Proposed Plot 3 F519/05
Proposed Plot 4 F519/06
Proposed Plot 5 F519/07
Proposed Plot 6 F519/08
Proposed Plot 7 F519/09
Proposed Plot 8 F519/10
Plans and Elevations Plot 9 F519/11
Location Plan F519/12
Proposed site Plan F519/13
Garage Designs F519/14

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

BACKGROUND

A decision on this application was deferred at the 16th March 2017 meeting to enable the applicant to consider possible changes to the proposal so that it reflected the layout of the 2007 application which the committee had judged acceptable. In response the applicant has confirmed that he does not wish to make any changes and the decision should be made on the scheme as submitted. The application is referred back to the committee for decision as originally recommended. The report has been updated in respect of consultation responses.

This application is brought before the committee for determination as it raises important issues of judgement in respect of impact on the Green Belt which it is considered appropriate for members to make. The application is for the redevelopment of brownfield land which is acceptable in principle, but the main determining factor is whether the proposal would have a greater impact on openness compared with the current commercial use and whether it would cause any other harm. Most of the site is covered by a lawful development certificate for commercial use, including unrestricted open storage.

The application proposes development which is of a scale which requires consultation with the Secretary of State for Communities and Local Government should the committee be minded to

grant permission. The Council cannot proceed to determine the application unless the Secretary of State has notified the Council that he does not intend to issue a direction. Confirmation has been received from the GLA that the application would not be referable to the Mayor should there be a resolution to approve.

SITE DESCRIPTION

The site lies to the north of a petrol filling station on the A127 Southend Arterial Road through which it takes access. It comprises an area in commercial use for open storage, including a number of small scale industrial buildings and other structures. There is a bungalow with associated curtilage adjoining which is the only residential property in the vicinity of the site. The main residential areas lie to the south of the A127. The site lies within the Green Belt and the area of the Thames Chase Community Forest. Pages Wood which forms part of Thames Chase adjoins to the east. In addition to Pages Wood the land around the site is generally well vegetated. To the west is the former Palms Hotel.

DESCRIPTION OF PROPOSAL

This is a full application involving the removal of all commercial uses, including buildings and the redevelopment of the site for residential purposes. The existing dwelling would be retained with nine chalet style dwellings erected to the east, served by a new access roadway from the site entrance. This will continue to be accessed from the A127 via the adjoining petrol filling station over which there is a right of access to the site.

The dwellings would all be detached five-bedroom properties of traditional design. Each would have a detached garage accessed from the new road and rear amenity areas. The dwellings would be constructed in brick, render and timber cladding under pitched tiled roofs. The site has an area of 0.97 hectares.

RELEVANT HISTORY

E0001.05 - lawful development certificate for the commercial use. This certified that the use of land and buildings for industrial purposes (Class B1) and the use of other land for open storage (Class B8) was lawful. The open storage area is located on the southern and eastern parts of the site.

P2210.07 - Demolition of industrial buildings and the erection of 9 no.bungalows and garages - outline. The decision on this application was not issued as the necessary legal agreement was not completed. The application has now been treated as lapsed.

CONSULTATIONS / REPRESENTATIONS

Essex and Suffolk Water - no objections

Public Protection - recommends conditions in relation to traffic noise and land contamination

Thames Water - no objections

Streetcare (Refuse) - would wish to see access road widened and turning head made larger

London Fire and Emergency Planning Authority - turning head should be of sufficient size to enable pump appliance to turn within the site.

London Fire Brigade - an additional fire hydrant needs to be installed

Streetcare (Highways) - no objections. Recommends condition on vehicle cleansing

Transport for London - no objections. The development would generate 54% less traffic compared with the existing so unlikely to significantly impact on highway network. Cycle parking would need to be London Plan compliant. conditions relating to construction and deliveries requested.

Thames Chase - no response

Greater London Authority - has confirmed that the application is not referable to the Mayor as no single building exceed 1,000 sqm.

No representations have been received.

RELEVANT POLICIES

Local Development Framework (LDF):-

Core Strategy and Development Control Policies Development Plan Document (DPD) Policies CP1 (Housing Supply); CP16 (Biodiversity and geodiversity); CP17 (Design); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC6 (affordable housing); DC29 (Education Premises); DC32 (The road network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC45 (Green Belt); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water supply, drainage and quality); DC53 (Contaminated Land); DC55 (Noise); DC58 (Biodiversity and geodiversity); (DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places) and DC72 (Planning obligations).

Evidence base to the Planning Obligations SPD; Residential Design SPD, Designing Safer Places SPD; Landscape SPD; Sustainable Design and Construction SPD.

London Plan:-

Policies: 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.6 (Children and young people's play and informal recreation); 5.3 (Sustainable design and construction); 6.13 (Parking); 5.21 (Contaminated land); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking); 7.3 (Designing out crime); 7.16 (Green Belt); 8.2 (planning obligations) and the Housing Supplementary Planning Guidance.

National Policy Documents:-

* Nationally described space standards;

* National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. The existing floorspace has been lawfully used within this period.

The proposals would result in a net increase of 980 square metres of floorspace giving rise to a CIL contribution of £19,600.

PRINCIPLE OF DEVELOPMENT

The site is located within the Green Belt where new buildings would normally be considered inappropriate development which by definition would cause material harm. Such development should not normally be permitted unless that harm would be clearly outweighed by other considerations.

The guidance in the NPPF is that there are some exceptions to this where new development may not be inappropriate, including:

"limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development." The application site is brownfield land and most of the site area benefits from a lawful development certificate for B1 and B8 use, therefore redevelopment is acceptable in principle subject to impact on openness and the purpose of including land in the Green Belt.

An outline planning application for nine bungalows on the site was considered by the Committee in 2008 when it was resolved that development would be acceptable subject to the prior completion of a legal agreement that covered remediation of the land and the cessation of commercial use of the parts of the site not being redeveloped and the land being landscaped as open space. The agreement was not completed so the permission was not issued. The application is now considered as having lapsed. Nevertheless, the decision that redevelopment of the site for residential purposes is acceptable in principle remains a material consideration. However, the development was smaller in scale and covered a smaller area of the site. It was also considered under different development plan policies and government guidance. In these circumstances the decision carries limited weight.

The site is brownfield land where the erection of new buildings may be acceptable subject to Green Belt considerations as set out in the NPPF and there being no other material harm to the character and appearance of the area. Should, upon assessment the development be judged not to meet the criteria in the NPPF and cause material harm, then it would be inappropriate development in the Green Belt. Very special circumstances would need to be demonstrated that clearly outweighed this harm for it to be considered acceptable. These matters are addressed below.

GREEN BELT IMPLICATIONS

The guidance in the NPPF is that the redevelopment of previously developed land (brownfield land) need not be inappropriate development, provided the new development does not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. LDF Policy DC45 sets out similar criteria, but seeks a substantial decrease in the amount of buildings on the site and improvements to the local Green Belt environment.

In this case the volume of the existing buildings on site is stated to be in the region of 4,000 cubic metres with a footprint of 1,200 square metres. The proposed development would have a volume of 7,318 cubic metres with a footprint of about 1,700 square metres, including garages. In terms of the scale of the built development proposed compared with the existing there would be a significant increase which would have a materially greater impact on the openness of the Green Belt. The existing buildings/structures are generally single storey and some are considered to be 'temporary', which should be excluded from the comparison of impact with the proposed development. However, there is also significant amounts of close boarded fencing and panelling around parts of the site, which together with the vehicle parking reduces the appearance of openness of the site. This is a material consideration. The proposed residential layout would give the site a more open feel, especially if the boundary treatment is less prominent and replaced with landscaping. However, compared with the existing situation the dwellings would be permanent, that would have a greater impact compared with the temporary structures and open storage which would change over time.

Taking these matters into account Staff consider that the mass, scale and bulk of the new dwellings would have a materially greater impact on the openness and consequently the proposal is judged to be inappropriate development in the Green Belt in accordance with the guidance in the NPPF. The proposal would also be contrary to the requirements of Policy DC45. There would also be other harm caused in terms of the impact of the development on the character and appearance of the countryside.

The applicant has put forward other factors in support of the application which together could amount to the very special circumstances necessary to outweigh the harm identified. The new dwellings would help to meet an identified housing need as it is stated that currently Havering cannot identify a five year supply in accordance with the guidance in the NPPF. It is also stated that there would be other benefits comprising:

- * a 54% reduction in traffic generated;
- * an improvement to the visual appearance of the site;
- * energy efficient and accessible houses;
- * a 60% reduction in hard services;
- * reduced flood risk; and
- * additional planting with native species
- * removal of commercial uses over which there is limited control

All these matters are material considerations which together carry some weight. In particular the possible impact of an open storage use over parts of the site. The lawful development certificate allows a B8 use without any restriction. The LDC allows the use of six buildings for light industrial

use (Class B1) and the use of open land ancillary to that use. It also allows the remainder of the site (about 75% of the total area) to be use for storage (Class B8). The storage use is not restricted in the certificate, however, there are no buildings. Permitted development would allow limited extensions to the existing buildings but no new buildings could be erected on the Class B8 part of the site. The height of any storage is unrestricted, therefore, items such as skips or containers could be stored well above the existing fencing, which could have a significant impact on openness and on the appearance of the area. Notwithstanding this the storage would not be permanent and the degree of impact would change. The level of impact would be different from that of permanent buildings. However, the potential for some adverse impact from storage is material and carries some weight.

Parts of the site which are in commercial use, mainly storage of materials and vehicle parking, are not covered by the lawful development certificate or any planning permission. The evidence available from aerial photographs indicates that whilst the land has been in commercial use for many years it is not conclusive on whether this exceeds 10 years and makes the use immune from any enforcement action. The applicant has been advised that should evidence exist to support a lawful use then an application for a certificate should be made. However, no application has been made. Accordingly the improvements that would be brought about through the removal of the commercial uses and new landscaping can be afforded limited weight as the lawfulness of that development and its immunity from enforcement action remains in doubt.

In terms of housing need the most recent annual report does show a deficiency in the five year supply. However, the Mayor of London has recently designated two 'housing zones' in Havering, in Romford and Rainham which are not reflected in the supply figures. Sites within the two zones will bring forward significant housing development. The allocation of housing sites within the two zones is being brought forward through the new draft local plan due for publication later in the year. In these circumstances and given the small number of new dwellings being proposed any shortage of supply carries little weight.

Overall Staff consider that the factors put forward as amounting to very special circumstances do not carry sufficient weight to overcome the significant harm to the Green Belt and the more general harm to the character and appearance of the area.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The application site lies within the open countryside and the area of the Thames Chase Community Forest. It is located on higher ground on the edge of the Ingrebourne valley and has a degree of visual prominence. Whilst parts of the site boundaries are already well landscaped the increase in the scale of development on the site would mean that it would be more visually dominant in the landscape. This would be particularly true when viewed from open area of Pages Wood to the east. However, the redevelopment of the site would provide the opportunity for further landscaping around the site which would make a positive contribution towards the objectives for Thames Chase. However, in view of the scale of development proposed Staff consider that on balance the proposals would have an adverse impact on the character and appearance of the area.

IMPACT ON AMENITY

There is only one residential property within the vicinity of the application site. This is a bungalow

owned by the applicant. The dwelling is set within a large plot that would adjoin one of the new dwellings and share the upgrade access with the rest of the development. While the proposal would have some impact on the occupiers of the bungalow, compared with the commercial uses it would represent a significant improvement.

HIGHWAY / PARKING

There would be an acceptable level of parking on site for the proposed development. The site takes access from the A127 via that for the petrol filling station. The amount of traffic that would access the development is stated to be significantly less than the existing commercial uses. On this basis neither Streetcare nor Transport for London has objections to the development.

SECTION 106

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

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

Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

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

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

Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places

generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places.

Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, which is a discounted rate that takes account of the Mayor's CIL. A charge is sought for the increase in the number of resident units which in this case would be nine. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects.

The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. This would amount to £54,000. Staff consider that the charge would be reasonable and necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.

LDF Policy DC6 requires that for development of 10 dwellings or more or site over 0.5 hectares affordable housing should be provided. Where schemes are for nine dwellings or less the Council needs to be satisfied that the proposal does not represent underdevelopment of the site in terms of density and it does not form part of a phased development of a larger site. In this case as the site lies within the Green Belt where other considerations apply and the scale of development that would be acceptable is largely determined by impact on openness. The density indications in Policy DC2 do not apply in the Green Belt. In these circumstances, notwithstanding the site area, affordable housing would not need to be secured for this development.

KEY ISSUES / CONCLUSIONS

This application is for the redevelopment of a brownfield site within the Green Belt for nine detached dwellings. Staff consider that the proposed development would have a significantly greater impact on the Green Belt compared with the existing situation and would also be harmful to the character and appearance of the area. Consequently the development would be inappropriate in the Green Belt unless very special circumstances can be demonstrated that clearly outweigh this harm. The matters put forward in support of the application are material considerations but Staff judge that they do not clearly outweigh the identified harm. In these circumstances Staff consider that the proposed development would be contrary to the guidance in the NPPF and Policies DC45 and DC61 of the LDF and refusal is recommended accordingly. Should members give different weight to these matters and judge that on balance the development is acceptable then the Secretary of State (CLG) would need to be consulted before a decision could be issued. However, the application would not be referable to the Mayor of London.

RECOMMENDATION

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

1. Reason for Refusal Green Belt

The site is within the area identified in the Core Strategy and Development Control Policies Development Plan Document and Proposals Map as Green Belt. The Development Plan Document, the London Plan and Government Guidance in the National Planning Policy Framework all seek to protect the Green Belt from inappropriate development that would

have a material impact on its openness. The proposed development is considered to be inappropriate development that would have a materially harmful impact on the openness of the Green Belt. Such development should only be permitted where it is clearly demonstrated that there are 'very special circumstances' sufficient to outweigh the harm that would be caused to the Green Belt and any other harm that would arise. No 'very special circumstances' have been demonstrated in this case that are sufficient to outweigh this harm. The increase in the volume, height and bulk of the proposed dwellings, compared with the existing buildings on site, would result in development of alien appearance in the locality that would have a materially adverse impact on the character and appearance of the Green Belt. As a consequence the proposal would be contrary to the guidance in the National Planning Policy Framework, Policy DC45 of the Havering Core Strategy and Development Control Policies Development Plan Document and Policy 7.16 of the London Plan.

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 - 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 James Atkinson by e-mail on 3rd March 2017.

2. Refusal and CIL (enter amount)

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 £19,600. Further details with regard to CIL are available from the Council's website.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0038.17
WARD: Brooklands **Date Received:** 13th January 2017
Expiry Date: 5th May 2017

ADDRESS: Crowlands Heath Golf Club
Wood Lane
Dagenham

PROPOSAL: Re-design of existing fairways to compliment the existing site and provide essential safety measures in areas presenting an increase in health and safety risk

DRAWING NO(S): Site Location, drawing no. M14.173.D.001
Existing Levels, drawing no. 1307 01
Final Contour Design, drawing no. 1307 05
Proposed Cross Sections, drawing no. 1307 04

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

CALL-IN

This application has been called in by Councillor Benham given the history of the application, in so much that the previous application for this development was refused under delegated powers without presentation at Committee; and to allow a full discussion of potential impacts.

BACKGROUND

This is a re-submission of a previously refused application (ref: P0893.15). The previous application which was for the same development as proposed by this application was refused planning permission for three reasons:

- The proposed development is considered to constitute a waste development. Waste development is inappropriate development in the Green Belt and in the absence of very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harm, the proposal is considered to be contrary to guidance contained in the National Planning Policy Framework.
- The proposed access track, stationing of machinery and equipment, vehicle movements and on-site activity during the construction phase of the development together with the proposed extent of importation and re-profiling would result in significant harm to the visual amenities of the Green Belt and the local area. The proposal is therefore considered to be contrary to policy DC61 of the Core Strategy and Development Control Policies DPD; policy W5 of the Joint Waste DPD and guidance contained in the National Planning Policy Framework and National Planning Policy for Waste.
- The proposed development would involve the importation of a significant amount of material and it is not considered that the applicant has satisfactorily demonstrated that the proposal involves the minimum quantity of material necessary. In the absence of an accepted need which justifies the development as essential, it is not considered that the development complies with policy W4 of the Joint Waste DPD, the waste hierarchy and guidance contained within the National Planning Policy for Waste.

The red line application area for this site covers land within the jurisdiction of both London Borough of Havering and London Borough of Barking and Dagenham. As a joint application previously (the application submitted to both Authorities for determination) it is noted that whilst LBH refused the application, LBBB approved it (application ref: 14/01348/CTY). The actual development proposals have not changed as part of this re-submission, with the applicant simply seeking to provide further information to justify the amount of material proposed to be imported. Accordingly, this time round the application has just been submitted to LBH, with the extant permission from LBBB sufficient to allow the development to proceed, should planning permission be granted by LBH.

The additional information provided is assessed in the below sections of the report in context of planning policy and the original reasons for refusal.

SITE DESCRIPTION

Crowlands Heath Golf Club is located approximately 1.5km to the south west of Romford town centre, on the western edge of the Borough. The site covers approximately 28 hectares with the south western section of the site, including the existing access to the club house off Wood Lane, located within the London Borough of Barking and Dagenham. The site is currently utilised as a golf course and driving range complex.

In terms of the locality, the site is located adjacent to others areas, including the Romford and Gidea Park Rugby and Football Club immediately to the east, in outdoor sport and recreational use and it is considered that the area has a relatively open feel to it.

Noting the location of the actual golf course, to the north of the access, club house and driving range off Wood Lane, the nearest residential properties to the site are those located on Seabrook Gardens, along Crow Lane and on Meadow Road. There is also a Public Right of Way (route No. 151) that traverses to the south of the golf course and provides a path from Wood Lane to Meadow Road, and across the golf course to Crow Lane.

In terms of designations, the site forms part of the Metropolitan Green Belt and also forms part of the Thames Chase Community Forest. The site is also noted by the Council as being potentially contaminated.

DESCRIPTION OF PROPOSAL

The applicant has suggested that due to the suburban location of the site that the golf club use, as existing, presents a number of health and safety issues. Over the years it is suggested that there has been various complaints from neighbouring properties about stray golf balls and it is suggested that re-designing some of the holes along the boundary of the site would help to mitigate this. With regard to the public footpath, which runs along the 9th hole, it is furthermore suggested that this has become overgrown by trees and bushes offering screened areas and concealed spaces for anti-social behaviour.

The proposed landraising, to which this application relates, seeks to re-align the 4th, 7th and 9th fairways to encourage play away from the public footpath and adjoining sports ground. The re-design of the 2nd, 5th and 6th holes would further seek to eliminate golf balls straying into the adjacent residential areas. Overall, it has been suggested that the works would enhance the golf

course boundaries and safety, add additional security features and noise attenuation.

It has been suggested that the total volume of material required to complete the proposed development would be 109,460m³. All material proposed to be imported would be inert and would be delivered to the site by vehicle. Construction traffic is proposed to enter and exit the site via the entrance to Romford and Gidea Park Rugby and Football Club, off Crow Lane. An access road would be constructed from hardcore that would allow lorries and construction vehicles to access the site. In terms of vehicle movements, it is suggested that the development would result in an average of 30 deliveries a day (60 movements in total). It is assumed that there would be 45.5 weeks of activity over a 70 week proposed construction period. Proposed hours of construction are suggested as 07:00 to 16:00 Monday to Friday with no work taking place on Saturday, Sunday or Bank Holidays.

With regard to the public footpath, the overgrown trees and bushes would be removed as part of the project and the path re-surfaced, as required.

It has been suggested that additional revenue generated from the importation of materials would be ear-marked from improving other facilities at the golf club, including additional funding to expand the club's outreach programme.

RELEVANT HISTORY

P0893.15 - Re-design of existing fairways and the driving range to complement the existing site and provide additional safety measures in areas presenting an increasing health and safety risk
Refuse 28-07-2016

CONSULTATIONS / REPRESENTATIONS

On receipt of this planning application, the Council directly notified 262 properties. The application was also advertised by way of site notice and press advert. 66 letters of public representation have been received. 41 of the letters of representation raise support for the development on the following grounds: improved health and safety for users on and off the course; involves the much needed restoration of the public footpath; provides additional revenue to ensure stability for the golf club; and enables investment in additional facilities and improved provision for the local community. 25 of the letters of representation raise objection on the following grounds: Green Belt impact; there is an intention to suspend the use of the footpath for 12 months; the HGV movements are proposed to use the entrance to the rugby club which is already being used by Royal Mail and in the majority is always full; that the rugby club access is not sufficient and/or safe for such use; and additional traffic, noise and air pollution.

Consultation was also undertaken with the following:

Anglian Water - No comments received.

Environment Agency - No objection in principle. The amount of waste proposed to be imported is

a significant volume and would exceed all Environmental Permitting exemptions for the reuse of waste and the limits in our standard rules permits. The development will require a bespoke Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010. If the developer fails to secure this authorisation, the planning permission would not be deliverable. The applicant should be aware that the importation and permanent deposit of waste, as identified in the planning application, might not be classed as a 'restoration activity' and may instead be considered a commercial disposal of waste i.e. landfill. Conditions in respect of dust and air quality; road sweeping; road surfaces; wheel washing; vehicle and plant emissions; spillages; vehicle idling; construction logistics; generators; and covering vehicles are all recommended should planning permission be granted.

Essex and Suffolk Water - Two large diameter water trunk mains go across this site - a 900mm steel pipe and a 30-inch cast iron pipe. These water mains are a vital part of our network. Should planning permission be granted it is requested that the applicant gets in touch with Essex and Suffolk Water to discuss the proposed scheme.

Greater London Authority - London Plan policies on Green Belt, waste management, biodiversity, design and access and transport are relevant to this application. The reuse or recovery of waste including discarded soils is one of the primary goals in the Governments and Local Authorities waste management strategies, in accordance with the Waste Management Plan for England (2013). The proposed remodelling and landscaping of the golf course (an outdoor sport and recreation facility - appropriate use on Green Belt) consists of reshaping works using imported inert soils, thus the engineering works facilitate waste management in the area. The proposals enhance the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt, and contribute to the Mayor's Waste Management policies and his aspirations. In summary, the proposed development is supported in land use principle. However, the submission of a detailed site-wide waste management plan that demonstrates how waste coming into the site would be minimised must be secured.

The proposed landscaping is unlikely to have a significant adverse impact on the ecological value of the site, provided the recommendations set out in the Environmental Statement are addressed. In particular, it is important that a reptile survey is conducted prior to any works being undertaken and an appropriate mitigation strategy prepared if reptiles are found to be present. The proposed landscaping could have a positive effect on the visual amenity and ecological value of the site provided this includes planting of suitable scrub and wildflowers.

Highway Authority - No objection subject to a financial contribution towards the maintenance of the public highway, in context of the additional vehicle movements which would result from this development (£1,120); and conditions covering vehicle access and cleansing.

Historic England - No objection.

London Borough of Barking and Dagenham - No comments received.

London Borough of Havering Environmental Health - No objection. It is however recommended that a condition be imposed with regard to hours of operation.

London Borough of Havering Lead Local Flood Authority - Could micro drainage calculations be submitted to demonstrate that the desired green field run off rate would be achieved.

National Grid - Due to the presence of National Grid apparatus in proximity of the application area, the applicant should contact National Grid before any works are carried out to ensure our (National Grid's) apparatus are not affected by any of the proposed works.

Natural England - No objection.

TfL - No objection subject to the imposition of a condition requiring the submission of a full construction logistics plan.

Thames Chase - No comments received.

Thames Water - No comments received.

RELEVANT POLICIES

The National Planning Policy Framework (NPPF) was published on 27 March 2013 and this sets out the Government's planning policies for England and how these are expected to be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state there are three dimensions to sustainable development: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 11, states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

For decision-taking the NPPF states that this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In respect of the above, paragraph 215 of the NPPF, which is considered applicable to the London Borough Of Havering LDF, states due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The opinion of the London Borough of Havering is that the LDF is broadly compliant with the NPPF and weight should be given to policies contained within in accordance with their consistency with the NPPF. Policy DC45 is a particular exception to the above as its content does not reflect that set out in the NPPF.

With regard to waste policy and guidance, the NPPF does not contain specific policies, since national waste planning policy is published as part of the National Waste Management Plan for England (NWMP). The NWMP was adopted in December 2013 and sets out where we are now in terms of waste generation and how we manage such waste. It sets out where we are and the policies we currently have in place to support the economy, protect our environment and prevent and manage waste streams. In October 2014 the National Planning Policy for Waste was

published, replacing Planning Policy Statement 10: Planning for Sustainable Waste Management.

The following policies of the LDF Core Strategy and Development Control Policies Development Plan Document are considered relevant to this development: CP7 (Recreation and Leisure), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP14 (Green Belt), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage), DC22 (Countryside Recreation), DC32 (The Road Network), DC33 (Car Parking), DC39 (Freight), DC41 (Re-use and Recycling of Aggregates), DC45 (Appropriate Development In The Green Belt), DC48 (Flood Risk), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated Land), DC55 (Noise), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC60 (Trees and Woodlands), DC61 (Urban Design), DC70 (Archaeology and Ancient Monuments) and DC72 (Planning Obligations).

In addition to the above, the following policies of the Joint Waste Development Plan for the East London Waste Authority Boroughs are considered relevant: W1 (Sustainable Waste Management), W4 (Disposal of Inert Waste by Landfill) and W5 (General Consideration with regard to Waste Proposals).

The following policies of the London Plan are considered relevant to this development: 1.1 (Delivering The Strategic Vision And Objectives For London), 2.1 (London In Its Global, European and United Kingdom Context), 2.2 (London And The Wider Metropolitan Area), 2.8 (Outer London: Transport), 2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open Spaces), 4.1 (Developing London's Economy), 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.14 (Water Quality and Wastewater Infrastructure), 5.16 (Waste Net Self-Sufficiency), 5.18 (Construction, Excavation and Demolition Waste), 5.20 (Aggregates), 5.21 (Contaminated Land), 6.1 (Strategic Transport Approach), 6.3 (Assessing Effects of Development on Transport Capacity), 6.9 (Cycling), 6.10 (Walking), 6.11 (Smoothing Traffic Flow And Tackling Congestion), 6.12 (Road Network Capacity), 6.13 (Parking), 6.14 (Freight), 7.2 (An Inclusive Environment), 7.4 (Local Character), 7.8 (Heritage Assets and Archaeology), 7.14 (Improving Air Quality), 7.15 (Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes), 7.16 (Green Belt), 7.18 (Protecting Open Space and Addressing Deficiency), 7.19 (Biodiversity And Access To Nature), 7.20 (Geological Conservation), 7.21 (Trees And Woodlands), 8.2 (Planning Obligations) and 8.3 (Community Infrastructure Levy).

MAYORAL CIL IMPLICATIONS

Not applicable.

PRINCIPLE OF DEVELOPMENT

This site is located within the Metropolitan Green Belt. Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 87 of the NPPF explains that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very

special circumstances. Paragraph 88 goes on to say that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 90 of the NPPF sets out a number of forms of development that are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- e) development brought forward under a Community Right to Build Order.

Case law has confirmed that the lists of development that is 'not inappropriate', as detailed in paragraphs 89 and 90 of the NPPF, are closed ones i.e. if a form of development does not feature in the lists, it cannot be regarded as appropriate development.

Engineering or waste development?

Paragraph 002 (reference ID: 28-002-20141016) of the Planning Practice Guidance (PPG) states that although interpretation of what matters come within the scope of 'waste development' is a matter for the courts, the following is a general, non-exhaustive list of matters which can be considered as waste operations:

- metal recycling sites;
- energy from waste incineration and other waste incineration;
- landfill and landraising sites (such as soils to re-profile golf courses)
- landfill gas generation plant;
- pyrolysis / gasification;
- material recovery / recycling facilities;
- combined mechanical, biological and/or thermal treatment;
- in-vessel composting;
- open windrow composting;
- anaerobic digestion;
- household civic amenity sites;
- transfer stations;
- waste water management;
- dredging tips;
- storage of waste; and
- recycling facilities for construction, demolition and excavation waste.

With regard to the above, staff furthermore note the contents of the letter to the 'Chief Planning Officer' from DCLG, dated 20 January 2009, regarding large-scale landscaping development using waste. Within this it is suggested that both DCLG and DEFRA consider that there are current examples of projects involving the importation of more than 100,000 tonnes of waste which would not have been undertaken if the material used to construct the landscape were not waste. In

cases such as those, it is said, the development proposed is likely to constitute a waste disposal operation rather than waste recovery.

From a pure tonnage perspective, staff note that this proposal would involve the importation of more than 100,000 tonnes of material or waste. Staff are mindful of the additional justification put forward by the applicant in attempt to satisfy concerns raised previously in this regard. However, whilst this will be considered in the following sections of the report in terms of the overall acceptability of the proposal, it is not considered, in principle, that the additional justification has demonstrated that the development would be undertaken if the material being imported was not waste. Accordingly, irrespective of if the project is defined as waste disposal or recovery; landfill or landraising, it is still in essence waste development.

Staff in coming to this opinion have given consideration to the consultation responses received from both the EA and the GLA. With regard to this and comments, in-particular, received from the GLA - whilst it is accepted that the reuse or recovery of waste, including discarded soils, is one of the primary goals of waste management strategies and the remodelling of a golf course in itself is representative of an engineering operation - staff seek to point out that suggested at paragraph 23 of the consultation response and that when material or waste is proposed to be imported, the engineering works facilitate a form of waste management.

Policy W4 of the Joint Waste DPD, in respect of the above, states that planning permission for waste disposal by landfill will only be granted when the waste to be disposed of cannot practicably and reasonably be reused; and the proposed development is both essential for and involved the minimum quantity of waste necessary for:

- a) the purposes of restoring current or former mineral workings sites;
- b) facilitating a substantial improvement in the quality of the land;
- c) facilitating the establishment of an appropriate after-use; or
- d) improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement; and where the above criteria are met, all proposals should:
 - i) incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed after-use; and
 - ii) include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including nature and geological conservation and increased public accessibility.

Mindful of the fact that if this was considered an engineering operation, as a whole, the development would not represent inappropriate development in the Green Belt, staff have to consider the importation (waste management) a significant aspect and/or driver to the proposal and not just an incidental or ancillary part of it. Staff in view of the proposed amount of material to be imported and justification advanced do consider the importation a significant part of the proposals and accordingly, at best, view this as a part engineering and part waste development application, to which the principles of policy W4 should apply.

To confirm, as any form of waste development is not an appropriate form of development in the Green Belt staff consider the development, as a whole, harmful by definition to the Green Belt.

Accordingly, in order for planning permission to be granted the applicant will need to demonstrate the existence of 'very special circumstances'. An assessment of the benefits and circumstances put forward by the applicant, in this regard, can be found in the proceeding sections of this report.

GREEN BELT IMPLICATIONS

Waste development and the infrastructure needed to support such works, as discussed in the 'Principle of Development' section of this report are not appropriate development in the Green Belt, pursuant to paragraph 90 of the NPPF. Accordingly, it is considered that this development represents inappropriate development in the Green Belt. Consequently, the development would be harmful by definition.

Policy DC45 of the LDF is based on previous Green Belt policy in PPG2 and the list of exceptions to the general rule that development in the Green Belt would be inappropriate are not consistent with the exceptions now set out in paragraphs 89 and 90 of the NPPF. Limited weight should therefore be given to this policy. The Government nevertheless attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and their permanence (paragraph 79 of the NPPF). With regard to this, whilst limited weight may be applicable to the policy DC45, because of the identified conflict, the Council considers that significant weight should be given to the Green Belt designation in itself; and the need to protect the Green Belt from inappropriate development. As noted above, waste development and the infrastructure needed to support such works/developments are not appropriate development in the Green Belt. Any harm to the Green Belt as a result of this development by reason of inappropriateness, and any other harm, therefore needs to be clearly outweighed by other considerations for planning permission to be granted.

Harm to openness

It is considered that this proposal would, during the construction phase of the development, result in significant harm to the openness of the Green Belt. Openness is the absence of development and the Council considers that the development necessary to facilitate the development - the access track and the stationing of machinery and equipment would be detrimental to the openness of the area and the Green Belt.

It is acknowledged that the construction/operational phase of this development would be temporary, and this needs to be weighed in the planning balance, but it is considered that the machinery and equipment necessary to support the development; the processing area; vehicle movements and on-site activity would irrespective be representative of an encroachment into the countryside, harmful to the purpose of the Green Belt.

With regard to the re-profiling of the site, staff accept that once the site has been landscaped, grassed and trees planted that the increased land-levels; and revised site profile would not significantly impact on the perceived openness of the Green Belt.

Justification and very special circumstances

The applicant, as alluded to in the 'Description of Proposal' section of this report has outlined a

number of suggested benefits that would be realised as part of this development. These are individually assessed below in context of the justification to the amount of material/waste proposed to be imported.

Golf course improvements / increased playability - It is noted, as detailed at paragraph 89 of the NPPF, that appropriate facilities for outdoor sport and outdoor recreation are not inappropriate in the Green Belt so long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This it is considered suggests that an outdoor sport or recreation use would not, in principle, undermine the function of the Green Belt. That being said, as discussed previously in this report, waste development is not an appropriate use of the Green Belt. With regard to this, although the applicant has sought to suggest that the revenue generated by the proposal would support other improvements to/at the golf club, the applicant has failed to evidence that the works proposed by this development are necessary from a club viability or vitality perspective. No evidence of a review of other golf clubs in the locality appears to have been undertaken and the applicant has not sought to demonstrate that the works are necessary to increase the desirability of the course to locals. The LPA could not, to confirm, through legal agreement furthermore seek to ensure that monies generated from the importation is solely re-invested in the golf club.

The LPA acknowledge the local initiatives which the golf club have created and are looking to expand. However the club development plan submitted in support of the application is generic and many aspirations reliant on further applications for planning permission which are by no means guaranteed. The LPA are keen to ensure that any outdoor sport and/or recreational facilities which positively contributes to the range of facilities available to the local community are retained where possible and in this regard staff do give some weight to such benefits and the financial support this development would give to the club. However, in the absence of detailed and/or specific evidence to substantiate the suggested benefits and/or that the club, as existing, is struggling and/or failing to meet the needs of users, it is considered that only limited weight can be apportioned. The landraising therefore in this regard considered landraising for the sake of landraising rather than for any specific benefit.

Health and safety for nearby residential properties - The surrounding residential development to the site and the concerns raised in respect of stray of golf balls are considered to be valid considerations in the determination of this application. However, staff question whether this is sufficient justification to the development proposed; and if such concerns could not be suitably overcome through the provision of additional screening or netting. Indeed this is acknowledged by the applicant in section 3.17 of the submitted Environmental Statement. This option is nevertheless discounted on the basis of the comparatively high costs of the work without bringing the advantages of a financial income. Staff apportion only limited weight to this argument/the benefits to be realised.

Landscaping benefit in comparison to netting - Expanding on the above, it has been suggested, again at section 3.17 of the Environmental Statement, that the re-profiling option would integrate more successfully than an structural solution within the Green Belt setting. Mindful of the position portrayed in paragraph 89 of the NPPF with respect to appropriate facilities for outdoor sport and recreation, compared to the position with regard to waste development, staff disagree with this opinion. Whilst any fencing would be permanent, and a permanent intrusion to openness,

compared to the impact solely residing from the operational phase of the development (mindful staff accept post completion there would be limited impact on the openness of Green Belt) it is not considered that this means the solution proposed is preferable in context of the existing site use.

Footpath improvements and security - The improvements which would be realised to the public footpath are considered noteworthy and should be given significant weight in the determination of this application, as per the position portrayed in policy CP7 of the LDF. The proposed vegetation clearance would in itself open up the footpath and reduce the sheltered, screened nature of the provision. Staff have walked the footpath in its entirety and accept that users could have security fears about using it given its, in-part, enclosed nature. However, staff note the proposals include the provision of a new bund beside the footpath, which although would direct play away from the footpath and stop stray golf balls, it is considered will in itself screen the footpath.

It is accepted that opening up and re-surfacing the footpath would be a benefit however staff note that this benefit is not linked to the importation of waste in itself, other than this funding such works. Staff furthermore note that the development does not in any way seek to overcome the fact that the footpath would still have to cross the golf course (and a number of fairways). Whilst it may be that the re-organised layout would mean that walkers/users of the footpath would have a greater appreciation of that occurring on the golf course and therefore less likely to be hit by a golf ball or interrupt play, staff consider a more comprehensive review of the footpath route should have been explored as part of the proposals if this is being mooted as a key driver to the proposals. The route of the footpath, as existing, is not by any means considered ideal by staff and this application whilst slightly improving it does not solve all of the issues relating to it.

Noise attenuation - Amenity impacts are discussed in further detail in the section of this report titled 'Impact on Amenity'. However, the Council are not aware of any significant noise concerns/complaints relating to the golf course use, as existing. The activity, by its nature, is not considered overly intrusive and by reason that the golf course can only be played during daylight hours it does not give rise to noise impacts, to nearby residents, at un-neighbourly hours.

Overall conclusion with regard to very special circumstances

Although potentially representing a waste recovery rather than a waste disposal operation, staff remain unconvinced that the very special circumstances advanced would clearly outweigh the harm to the Green Belt by reason of inappropriateness (as a waste development) and any other harm (the harm to the openness during the operational/construction phase of the development). Whilst staff give merit/weight to a number of the benefits which would be achieved, it is not considered that these justify the grant of planning permission for a waste development in the Green Belt. Staff, in coming to this conclusion, note that many of the benefits which would be achieved could be achieved by other means or forms of appropriate development in the Green Belt.

Whilst the prudent use and recovery of inert material is encouraged within the LDF and the London Plan, it is considered that in the absence of an accepted need for importation, that the use of such inert material at this site could also have implications for the timely restoration of other approved landraising or landfill projects in the Borough.

IMPACT ON AMENITY

Policy DC61 of the LDF, in addition to that detailed previously in this report, states that planning permission will not be granted where the development has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and with developments. This position is supported by policy W5 of the Joint Waste DPD. The nearest residential properties to the site, as previously referred, are located on Seabrook Gardens, Crow Lane and Meadow Road. It is considered that in terms of amenity that an assessment in regards of noise and air quality is required.

Noise - A Noise Impact Assessment has been submitted with this application. This demonstrates that the background noise level in the locality is approximately 50dB(A). Relevant guidance and standards seek to ensure any noise impact does not exceed background noise levels by more than 10dB(A). On the basis of the above it is considered that the applicant should therefore seek to achieve a maximum noise level of 60dB(A) throughout the construction period. Factoring predicted noise levels from the construction works, the Noise Assessment concludes that the noise levels from the proposed works would be insignificant. With regard to this, it is however noted that for properties on Seabrook Gardens and Crow Lane noise levels in excess of 60dB(A) may be experienced (63.9dB LAeq,t). With regard to this it is nevertheless accepted that that this level would only likely be when works are occurring at the closest point to the properties and in context of this, and that suggested in the Noise Policy Statement for England, it is not considered that any such impacts would be sufficient to warrant refusal.

Air Quality and Dust - Policy DC52 of the LDF details that planning permission will only be granted where new development, both singularly and cumulatively, does not cause significant harm to air quality and does not cause a breach of the targets set in Havering's Air Quality Management Area Action Plan. An Air Quality Assessment has not been submitted with the application and this has been expressed by the Environment Agency as a concern. It is however considered that such an Assessment together with mitigation as appropriate, expanding on the mitigation measures already suggested in the Environmental Statement, could be secured by condition in the event that planning permission is granted. It is not considered that the absence of an Assessment is sufficient reason to warrant refusal.

Expanding on the above, policy DC61 of the LDF furthermore details that planning permission will not be granted where a proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy. In view of the existing golf course use, proposed tee locations and the proximity to nearby residential development, it is not considered that the development would give rise to significant impacts in this regard. Whilst the increased land levels would give rise to more expansive views to and from the site it is not considered that any overlooking or loss of privacy would be so severe as to be deemed contrary to policy and warrant refusal.

HIGHWAY / PARKING

Policy DC32 of the LDF details that new development which has an adverse impact on the functioning of the road hierarchy will not be allowed. A Transport Statement has been submitted in support of this application and this acknowledges that the development would generate 7-8 HGV movements per hour or one movement every 8 minutes. It is suggested that the majority of movements would be from the A12 via the A125 (North Street), A118 (St Edmunds Way), A126 (Waterloo Road), Oldchurch Road and Crow Lane.

It is suggested within the Transport Statement that the number of vehicle movements, when compared to the existing baseline traffic, would be insignificant. It is not considered that the movement of an additional vehicle every 8 minutes would give rise to traffic impact on local junctions and accordingly no traffic modelling or mitigation is proposed. The existing access to the Rugby Club is considered, by the applicant, appropriate to support the vehicles which would deliver the materials and furthermore is considered appropriate to support the level of movements which would be likely.

It is accepted that the number of vehicle movements which this development would generate and the increase in use of the nearby roads is not likely to be significant, as per the definition within paragraph 32 of the Framework, or so severe as to prevent or refuse this development solely on such grounds. With regard to this no objection to the development coming forward, subject to the imposition of appropriate conditions and the provision of a financial contribution towards highway maintenance, has been received from the Highway Authority and Transport for London.

In context of the above, it is considered that the vehicle movements associated with this development, when assessed collectively with other approved development in the locality and the existing levels of usage of local infrastructure, would not significantly impact on highway safety or efficiency. It is considered that potential highway impacts associated with the development could suitably be controlled via planning condition and legal agreement and accordingly it is considered that the development complies with policy DC32 of the LDF.

OTHER ISSUES

Ecology

Policy CP16 of the LDF states that Council will seek to protect and enhance the Borough's rich biodiversity and geodiversity, in particular priority habitats, species and sites. This is a position supported by policies DC58 and DC60 of the LDF.

An Ecological Assessment and Tree Survey have been submitted in support of this application. Staff have reviewed these documents and whilst some concern exists, with regard to the ecological assessments, it is considered that such issues could be overcome through the submission of further information and assessments secured by condition. This site is not internationally, nationally or locally notified as of particular ecological interest and whilst it is considered that mitigation would be required to ensure that the development does not give rise to undue impacts it is not considered that any such impacts would be so sufficient to warrant refusal.

Hydrology and Flood Risk

Policy CP15 of the LDF, in-part, details that new development should reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; have a sustainable water supply and drainage infrastructure; and avoid an adverse impact on water quality. Expanding on this policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Policy DC51 goes

on detailing that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems unless suitable mitigation measures can be secured through conditions attached to the planning permission or a legal agreement.

This site is not located within a flood zone but a Flood Risk Assessment has been submitted in context of the size of the application site. As acknowledged in the aforementioned Assessment, the proposal is to re-profile the existing golf course but, as part of this, a number of additional land drains are proposed to be installed. These drains it is suggested would seek to ensure that the existing drainage system continues to function and surface water collects in low spots at integrated water features on-site or in the locality. The Assessment furthermore submitted suggests that the development would not have any impact on existing private and public surface water drainage systems. On review of the submitted, and relevant consultation responses received, staff consider that the development, subject to the imposition of appropriate conditions, complies with policies CP15, DC48 and DC51 of the LDF with regard to flood risk.

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.

Whilst it is noted that this site has previously been landfilled, it is accepted that no aspects of contamination or any complaints in respect of contamination or landfill gas have been lodged with the Local Planning Authority or Environment Agency. Subject to the imposition of suitable conditions seeking to ensure the submission of a remediation strategy to deal with risks associated with contamination; a verification report demonstrating completion of the works identified in the remediation strategy; and a long term monitoring and maintenance plan in respect of contamination it is not considered that land contamination, in itself, is a reason to prevent planning permission being granted.

KEY ISSUES / CONCLUSIONS

It is considered that the application represents a waste development in the Green Belt and very special circumstances have not been demonstrated to clearly outweigh the harm to the Green Belt by reason of inappropriateness; and other identified harms. Accordingly, it is considered that the development is contrary to the principles of the Green Belt, as defined within the NPPF; would adversely impact on the character of the area contrary to policy DC61 of the LDF and W5 of the Joint Waste DPD; and would be contrary to the principles of sustainable waste management as detailed in policy W4 of the Joint Waste DPD and the National Planning Policy for Waste.

RECOMMENDATION

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

1. Inappropriate Development in the Green Belt

The proposed development is considered to constitute a waste development. Waste development is inappropriate development in the Green Belt and in the absence of very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harm, the proposal is considered to be contrary to guidance contained in the National Planning Policy Framework.

2. Landscape & Visual Harm

The proposed access track, stationing of machinery and equipment, vehicle movements and on-site activity during the construction phase of the development would result in significant harm to the visual amenities of the Green Belt and the local area. The proposal is therefore considered to be contrary to policy DC61 of the Core Strategy and Development Control Policies DPD; policy W5 of the Joint Waste DPD and guidance contained in the National Planning Policy Framework and National Planning Policy for Waste.

3. Need & Waste Importation

The proposed development would involve the importation of a significant amount of material. Whilst the local planning authority do not question that the amount of material to be imported is the minimum necessary to achieve the land levels, as proposed, in the absence of an accepted need, which justifies the development as essential, it is not considered that the development complies with policy W4 of the Joint Waste DPD, the waste hierarchy and guidance contained within the National Planning Policy for Waste.

INFORMATIVES

1. 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 and very special circumstances advanced, staff have not sought to seek amendments from the applicant. The application has been called in by a Local Councillor so will be determined by the Council's Regulatory Services Committee. Mindful that the agenda will be published before the meeting date, the applicant will be aware of the staff recommendation and reasoning for this, prior to a formal resolution/decision being made. The application it is considered has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0064.17
WARD: Emerson Park **Date Received:** 17th January 2017
Expiry Date: 7th April 2017
ADDRESS: 65-67 Wingletye Lane
Hornchurch
PROPOSAL: Internal alterations merging adjoining units to form restaurant seating area (A3) in association with existing A5 use. Minor shopfront alterations to both units.
DRAWING NO(S): Site Location Plan
WL-0101-3
WL-0101-2
WL-0101-1
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

This application has been called in by Councillor John Glanville, for reasons related to customer parking and potential for overspill onto secondary roads.

Councillor Ramsey has also requested that the application be determined by Committee on the basis of potential parking issues.

SITE DESCRIPTION

The application site is located within the Wingletye Lane Minor Local centre. The centre also lies within the Emerson Park Policy Area.

The site comprises of ground floor commercial units within a terraced row. The ground floor of No.65 is already in use as a take away (A5), whilst no. 67 is a retail unit (A1).

DESCRIPTION OF PROPOSAL

The proposal seeks consent for a change of use of no.67 from retail use (A1) to a restaurant (A3). It is proposed to merge nos.65 and 67 to form one larger planning unit. Shopfront alterations are also proposed.

This application relates solely to the material change of use of the commercial premises and the external shopfront alterations. Advertisement consent will be addressed in a separate application.

RELEVANT HISTORY

P0461.12 - Variation of conditon 3 re application P0625.09 to vary opening hours to allow trading between 11am-10pm Bank and Public Holidays only
Apprv with cons 06-06-2012

- P0004.12 - Variation of condition 3 Re : Application P0625.09 to vary opening hours from 11am-9pm to 11am-10pm (Monday to Thursday)
Apprv with cons 19-04-2012
- P0625.09 - Change of use from A1 retail to A5 take away. Extraction flue to rear.
Apprv with cons 22-06-2009
- P0157.00 - Single storey rear extension to shop and rear external staircase to flat
Apprv with cons 28-08-2000

CONSULTATIONS / REPRESENTATIONS

The application was publicised by the direct notification of nearby properties and 19 letters of objection, including from the Emerson Park and Ardleigh Green Residents Association have been received. The points raised will be summarised below:

- Increased traffic/insufficient parking
- Inconsistent detail regarding opening hours
- Proposed development would undermine function of centre
- Harmful to amenity/late night noise
- Fumes
- Litter
- Food hygiene
- Out of character/scale with surrounding units
- Excessive number of takeaways/restaurants
- Increased crime

One letter of support was received on the grounds that new business is welcomed. A petition has also been submitted containing in excess of 100 signatures in support of the proposal.

In addition the following stakeholders were consulted:

Highway Authority - No Objection

Environmental Health - No Objection, subject to conditions

RELEVANT POLICIES

LDF

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

STAFF COMMENTS

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

Staff acknowledge that the proposed change of use would generate economic activity, which is supported by national and local plan policy.

PRINCIPLE OF DEVELOPMENT

Policy DC16 states that planning permission for retail uses (A1) and other uses appropriate to a shopping area (A2, A3, A4, A5) in the borough's Minor Local Centres will be granted at ground floor level. The proposal creates an A3 use and therefore is acceptable in principle within the shopping centre.

DESIGN / IMPACT ON STREET / GARDEN SCENE

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

The visual impacts of the proposal are considered to be negligible within the context of an existing commercial parade. Whilst alterations to the shop-front are proposed, the resultant amalgamated unit would still read as two separate units when viewed from the street. No objection is raised in terms of the visual impact of the shopfronts and local character or appearance of this part of the Emerson Park Policy Area.

IMPACT ON AMENITY

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

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

From the site visit it was observed that Wingletye Lane is heavily trafficked, with much activity on secondary roads with relatively high ambient noise levels. Given the nature of this road, and the level of activity associated with the secondary roads nearby there is no reason to believe that these observations are unusual. It is reasonable to assume then, given the location of the application site that the ambient noise level would remain reasonably high in the evening.

It is noted that the hours of operation of commercial premises follow a trend within the parade and generally cease operation at 22:00 with few exceptions. It is acknowledged that within the parade there is an existing takeaway with advertised opening hours of 5pm to 10.30pm Sunday to Thursday and 5pm to 11pm on Saturday however no formal record of planning consent exists.

The existing lawful A5 use at no.65 is permitted to operate between 11:00 and 22:00 Monday to

Saturday in addition to Bank/Public Holidays, and not at all on Sundays without the written approval of the Local Authority. These hours were approved in 2012 and judged by Staff to be appropriate to this location. Although the application suggests differing opening hours for each unit, given they would operate largely as one premises, Staff consider that the hours should be consistent across both units and would be in line with that previously deemed appropriate for the unit at no. 65. Subject to restriction of opening hours to 22.00 latest it is considered that this would strike an appropriate balance between the operational requirements of the premises and maintaining residential amenity. This would also be consistent with general closing times within the parade.

No details relating to extract ducting have been submitted as the applicant had indicated that the existing extract equipment would be utilised. Staff are unconvinced that this would be suitable for the intensification of the use sought and will seek to impose a condition requiring further detail be provided in line with the appropriate operating parameters expected by Environmental Health.

Staff do not consider that there is adequate evidence relating to litter or criminal behaviour that could constitute a material planning consideration or grounds to refuse the application.

Subject to appropriate safeguarding conditions, staff do not consider the proposed change of use to have an adverse impact on the amenity of neighbouring occupiers over and above what is expected in a local centre setting.

HIGHWAY / PARKING

Whilst the size and scale of the combined use has the potential to attract a large number of patrons, the application site is located within an area designated as a Minor Local Centre.

The application site forms part of an established parade of shops which historically benefit from no dedicated off-street parking. Adjacent to the parade is the 32 space (Council operated) Woodhall Crescent pay and display car park. The existing use class of A1 (which will benefit from a change of use to A3 as part of this application) attracts a maximum parking standard of 1 space per 30m². The site is 80m² which would therefore require 3 parking spaces in policy terms. The resultant A3 unit would have a maximum requirement of 1 space per 10m² and therefore requires only 8 parking spaces. The site has a PTAL (public transport accessibility level) of 2.

In this case the resultant larger planning unit does not provide any provision of off street parking. Concerns have been raised by residents over the existing parking arrangement, with particular concern for Woodhall Crescent and Halcyon Way where it is claimed that shoppers/staff regularly park their vehicles. It is conveyed to staff that this has resulted in increased competition for on-street parking and confrontations between residents. Staff have no control over the manner in which vehicles are parked within secondary roads and can only determine the application based upon the policy requirement for parking and observations made during site inspection.

During the day (Monday to Saturday, 8am to 6.30pm) there is a part time restriction in Woodhall Crescent, however the public car park nearby is available. Outside of these hours, there is a considerable amount of unmarked on-street parking - set away from residents however at this point the car park is free (6pm to 7am Monday to Saturday and all day Sunday).

Consideration must therefore be given to the availability of on-street parking/the level of restrictions in place along secondary roads and the proximity/capacity of nearby car parks. Furthermore the designation as a minor local centre would suggest that customers may choose instead to walk to the premises. In assessing the application it must be recognised that the existing A5 use will remain relatively unchanged and that the proposal in highways terms is focused on the change of use of the existing A1 unit to A3.

Given the relationship between the parade of shops, the availability of the Council maintained car park and the perceived low risk of significant issues created by on-street parking, it is the view of officers that there exists within the immediate vicinity an adequate level of parking to serve the centre. This would continue to be the case even if additional car parking restrictions were introduced on local roads.

No objection has been made by the Highway Authority during the statutory consultation period.

KEY ISSUES / CONCLUSIONS

For the reasons outlined within the report and after having regard to all relevant planning policy the proposed change of use is considered to be acceptable and approval is recommended accordingly.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC27 (Hours of use) ENTER DETAILS

The ground floor premises shall not be used for the purposes hereby permitted other than between the hours of 11.00 and 22.00 hours Monday to Saturday and on Bank and Public Holidays and not at all on Sundays

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. S SC32 (Accordance with plans)

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

Reason:-

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

accords with Development Control Policies Development Plan Document Policy DC61.

4. SC58 (Refuse and recycling)

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

Reason:-

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

5. Non Standard Condition 1 (Pre Commencement Condition)

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 approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises.

6. Non Standard Condition 2 (Pre Commencement Condition)

Before the use commences, the building shall be insulated in accordance with a scheme which shall previously have been approved by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building and it shall be effectively sealed to prevent the passage of odours through the structure of the building to other premises and dwellings.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning & Noise 1994.

7. Non Standard Condition 3 (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 properties.

8. Non Standard Condition 4 (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: To protect the amenity of occupiers of nearby premises.

INFORMATIVES

1. Approval - No negotiation required

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0067.17
WARD: Upminster Date Received: 19th January 2017
Expiry Date: 7th April 2017
ADDRESS: Coopers Company and Coborn School
St Mary's Lane
Upminster
PROPOSAL: Two storey extension and refurbishment to include reception area, entrance lobby and mezzanine to form new/improved entrance. Minor alterations to front elevation of school building.
DRAWING NO(S): 01
04 rev D
03
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 the Coopers Company and Coborn School, which is situated on the southern side of St Mary's Lane within the Metropolitan Green Belt and Cranham Conservation Area. There have been a number of planning applications in previous years for development within the school grounds.

The application site is set well away from the highway and as such is far removed from residential properties. The site is also screened for the most part by trees.

DESCRIPTION OF PROPOSAL

Permission is sought for the construction of a two storey extension and refurbishment to include reception area, entrance lobby and mezzanine to form new/improved entrance.

Minor alterations to the front elevation and ground level on the site to enable a level approach are also shown on accompanying plans..

The current proposal represents an improvement solely of the existing facilities and does not result in an increase in pupil numbers.

RELEVANT HISTORY

- P0483.15 - Single storey extension to the existing sports hall to provide storage for trampolines/matting etc
Apprv with cons 19-06-2015
- P0563.15 - New floodlights to existing tennis courts and new fencing to the courts with 4No signboard and new surfacing to the courts to provide a slip resistant finish
Awaiting Decision

P0641.13 - Provision of a new car park providing parking for 70 cars, a car drop off point, a coach drop off point and a dedicated pedestrian pupil access. A new vehicular exit onto St Mary's Lane will also be provided so that a one way system can be adopted for the new parking area. New landscaping will be provided and alteration to the school access road will be undertaken and new fencing will also be provided. No demolition is proposed.

Apprv with cons 30-09-2013

P0358.09 - Provision of 2 No. external disabled access lifts

Apprv with cons 21-05-2009

P0941.06 - Single storey extension to existing Art block

Apprv with cons 18-07-2006

CONSULTATIONS / REPRESENTATIONS

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.

Notification letters were sent to 90 neighbouring properties. No letters of representation have been received.

In addition the following comments were received from stakeholders.

Environmental Health - No Objection.

Highway Authority - No Objection.

Fire Brigade (Access) - No Objection

Fire Brigade (Hydrants) - No objections, however advised that one new private hydrant required.

RELEVANT POLICIES

LDF

- CP17 - Design
- DC26 - Location of Community Facilities
- DC27 - Provision of Community Facilities
- DC28 - Dual Use of School Facilities
- DC29 - Educational Premises
- DC32 - The Road Network
- DC33 - Car Parking
- DC45 - Appropriate Development in the Green Belt
- DC48 - Flood Risk
- DC51 - Water Supply, Drainage and Quality
- DC57 - River Restoration
- DC59 - Biodiversity in New Developments
- DC60 - Trees and Woodlands
- DC61 - Urban Design
- DC63 - Delivering Safer Places
- DC68 - Conservation Areas

OTHER

LONDON PLAN - 3.18 Education facilities

-

LONDON PLAN - 7.16 Green Belt

-

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not applicable.

STAFF COMMENTS

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

The subject application is brought to the Regulatory Services Committee as it is for a school related development located within the Green Belt.

Whilst the design an access statement provided by the applicant alludes to an increase in pupil numbers in the near future, it must be noted that this and the extensions required to facilitate the increase will be secured by way of a separate application. The current proposal represents an improvement solely of the existing facilities.

PRINCIPLE OF DEVELOPMENT

The application site lies in the Metropolitan Green Belt. Schools are not within the list of appropriate uses for the Green Belt. Nonetheless the National Planning Policy Framework (NPPF) indicates that where extensions are proposed to existing buildings/uses, providing they are not disproportionate additions, they are acceptable as an exception to national policy.

Policy DC45, in line with the previous National Guidance contained in PPG2, indicates that the extension of buildings other than dwellings or buildings that are associated with acceptable Green Belt uses, is inappropriate development. Nonetheless the NPPF adopted by Central Government in March 2012, in this respect supersedes the Council's LDF dating from 2008 as it is more up to date and is a material planning consideration. As such, and as above, the NPPF accepts extensions to any existing building in the Green Belt which are not disproportionate to the original.

Furthermore, LDF Policy DC29 states that educational premises should be of a suitable quality to meet the needs of residents. Staff are of the view that the proposed development will enhance the quality of the school and will provide improved access, including improved disabled facilities, and it is therefore judged to be in accordance with Policy DC29.

GREEN BELT IMPLICATIONS

As indicated above, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Whilst the footprint of the subject area of the school would increase, the increase proposed would be minor within the context of the existing school. The subject building has historically been the subject of applications to increase its scale, bulk and mass to meet increasing demand for school-places. The extensions sought in this instance would largely represent infill development, which would be contained to the existing building envelope and would not extend beyond the existing established building lines. On this basis the proposed development does not represent a disproportionate addition to the host premises.

The impact of the development by way of the siting and nature of the additions proposed on the open nature of the Green Belt is considered to be negligible.

CONSERVATION AREA

The application site is located within the Cranham Conservation Area. The school is more associated with the urban edge to the north-west of the Conservation Area and there is substantial open land between the school and buildings which form the core of the Conservation Area, for example the Grade II listed All Saints Church and Cranham Hall.

The proposed development, owing to its siting within the existing envelope of the school, would be unlikely to result in any significant impact on the open aspect or special character of the Conservation Area.

Consequently it is not considered to be contrary to the provisions of Policy DC68.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed addition focuses on the existing entrance, located on the northern elevation of the school building, recessed between historic additions to either side. It would not be readily visible from the street-scene owing to the manner in which the site has been developed and the siting of the school deep into its respective plot. Staff therefore consider that there would be no adverse impact on visual amenity.

When seen within the context of the existing school building, the increased bulk is offset by the introduction of greater levels of glazing which contribute to a more contemporary and modern facade, a contrast to the existing entrance which appears relatively dated. In terms of its design, the revised entrance relates well to the main school.

No objections are therefore raised as to the visual impacts of the proposal.

IMPACT ON AMENITY

There are no implications related to neighbouring amenity due to the siting and scale of the extensions sought to the main school building.

Furthermore, this proposal does not result in an increase in the levels of staff or pupils.

Staff are therefore of the view that the resultant impacts to the amenity of neighbouring occupiers would be no worse than the existing.

HIGHWAY / PARKING

The proposal will not result in any loss of vehicular parking or create demand for additional car parking. No objections were raised by the Highway Authority.

KEY ISSUES / CONCLUSIONS

Having regard to all relevant factors and material planning considerations staff are of the view that this proposed extension and alterations would be acceptable.

Staff consider that the proposal would accord with Policy DC29 in relation to enhancing existing educational facilities and would accord with the general principles for the development in the Green Belt laid out in the NPPF, as the proposal comprises of only a minor increase in the scale, bulk and mass of the existing entrance area.

APPROVAL is therefore recommended accordingly.

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. Non Standard Condition 31

All new external finishes shall be carried out in complete accordance with details specified on drawing number 62482 04 Rev D unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason:-

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

3. SC32 (Accordance with plans)

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

Reason:-

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

4. SC62 (Hours of construction)

No construction works or deliveries into the site shall take place other than between the hours of 08:00 - 18:00 hours on Monday to Friday and 08:00 to 13:00 hours on Saturdays

unless agreed in writing with the local planning authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity.

INFORMATIVES

1. **Approval - No negotiation required**

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0080.17
WARD: Cranham **Date Received:** 19th January 2017
Expiry Date: 14th April 2017
ADDRESS: Land 320m north of Franks Farm, western side of M25
near junction 29 of the M25
Upminster
PROPOSAL: Installation of a 30m tower and other ancillary development for a fixed
period of two years.
DRAWING NO(S): A3_CHF_101
A3_CHF_400
A3_CHF_100
A3_CHF_200
A3_CHF_300
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 an area of land close to Junction 29 of the M25, approximately 300m north of Franks Farm.

The application site is located within the Metropolitan Green Belt. Ground level is relatively flat however, the field to which this application relates is banked by a screening bund from the M25.

DESCRIPTION OF PROPOSAL

The Local Planning Authority is in receipt of an application which seeks planning permission for the installation of a 30 metre tower and ancillary development within a proposed telecommunications compound adjacent to the M25, close to Havering's border with Brentwood Council and Essex County Council.

The current proposal follows a previous submission which was refused in 2016 owing to the visual impacts of the development and harm caused to the open nature of the Green Belt setting.

RELEVANT HISTORY

P1654.16 - Installation of a 35 metre tower and ancillary development within a 6m x 8m compound. A telecommunications cabinet will be installed within the compound
Refuse 06-12-2016

CONSULTATIONS / REPRESENTATIONS

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

Notification letters were sent to 11 neighbouring properties. No letters of representation have been received.

Environmental Health - No Objection

Highway Authority - No Objection

Highways England - No Objection, conditions recommended

TFL - No Objection

Network Rail - No Objection

RELEVANT POLICIES

LDF

DC32 - The Road Network

DC45 - Appropriate Development in the Green Belt

DC61 - Urban Design

DC64 - Telecommunications

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not applicable.

STAFF COMMENTS

The issues in this case are primarily the principle of the development and the impact of such development on the openness and purpose of the Green Belt.

PRINCIPLE OF DEVELOPMENT

The application site lies within the Metropolitan Green Belt.

The applicant has suggested that this site was chosen as there are no existing telecommunications sites that could be utilised. Staff are satisfied that the applicant has demonstrated the significance of, and need for the proposal as part of a national network.

Both Local and National Planning Policy support the growth of telecommunications infrastructure and recognise that the growth of telecommunications infrastructure is necessary for sustainable economic growth. In assessing the application, staff are mindful of the amendments incorporated to the current scheme, which are a significant reduction in the overall height and profile of the mast.

Nevertheless, the introduction of a telecommunications mast/base station to such a setting would represent development which is inappropriate within the Green Belt and therefore special circumstances must be demonstrated in order for the proposal to be afforded any level of consideration. The NPPF states that "very special circumstances" will not exist unless the potential harm to the Green Belt posed by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicant sites a lack of suitable and available alternative sites outside of the Green Belt and the inability to acquire alternative locations outside of the Green Belt as justification for the proposed development. One example of which is a site on the opposing side of the M25, however a 45m/50m structure would have been required due to the significantly lower ground level present.

GREEN BELT IMPLICATIONS

Guidance contained within the NPPF (March 2012), in respect of Green Belt, is considered to be more up to date than the Council's LDF which was adopted in 2008. It is acknowledged however that the LDF - specifically Policy DC64 presents material considerations which will be taken into account in conjunction with the aims of the NPPF.

Microwave telecommunications dishes are generally used for point-to-point telecommunications services and must therefore have a clear line of site to the point they transmit to and receive signals from. To enable this unhindered line of site to be obtained requires the requisite positioning of the equipment at a height to enable the link to clear any obstructions. It is explained within supporting statements provided with this application that the siting of the tower as proposed would allow for clear and unimpeded sightlines in all required directions. The applicant suggests that the mast sought is of the slimmest possible design available for masts of such a height and that the height sought (30m) would be the minimum required to facilitate a clear line of sight between corresponding equipment.

The absence of sufficient screening to mitigate the impacts of the proposal remains a consideration. Previously, when seen in conjunction with the scale of the previous submission, this formed the basis of the decision made to refuse planning permission. Whilst the applicant has indicated a willingness to accommodate the Local Authority in this respect by providing landscaping, staff cannot conceive of a means which would screen the proposal without further exacerbating its prominence, particularly as the application site/proposed compound would be located on an open expanse of land.

By reason of its siting and visual appearance in what is a relatively exposed area to the west of the M25, the previous application was judged to result in a feature that would appear intrusive and visually dominant when seen against a backdrop that was not populated by any other built form. The applicant has sought to reduce the visual impacts of the development by proposing a slimmer and more streamlined mast with a less obtrusive visual appearance. The reduced overall height and slim profile of the mast differs substantially to the lattice design considered previously. It is the opinion of staff that the close association of the site with the fast moving highway adjacent is such that the case could be made that views of the proposal would be transient and partially obscured by the edges of the highway.

Whilst it may not be possible, due to the technical requirements of the operator, to make provision for a site which falls outside of the Green Belt, it is the view of the Local Planning Authority that the impact of the proposed development on the Green Belt in this instance, having had regard to the revised design, would be mitigated by the reduced visual impact..

Accordingly staff consider that temporary consent for a period of 2 years would be acceptable, whilst a more permanent solution is sought.

IMPACT ON AMENITY

There are no implications related to neighbouring amenity.

HIGHWAY / PARKING

There are no known issues associated with matters of highway functionality relating to the proposed development.

KEY ISSUES / CONCLUSIONS

Having regard to all relevant planning policy, material considerations and the supporting statements provided by the applicant it is the opinion of staff that planning permission should be APPROVED, subject to the conditions listed below.

RECOMMENDATION

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

1. SC16 (Temporary permission)

This permission shall be for a limited for a fixed period of two years from the date that permission is granted on or before which date the use hereby permitted shall be discontinued and works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to retain control.

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. Non Standard Condition 1 (Pre Commencement Condition)

No part of the development hereby permitted shall commence until Highways England technical approval has been sought and, if needed, granted for the installation of a 30m tower and other ancillary development for a temporary period of two years.

Reason:-

To ensure that the tower is approved in accordance with Highways England's technical approvals process, if required, and that the tower will not be capable of falling on to Highways England's operational land. This is to ensure that the M25 continues to be an effective part of the system of national through routes for traffic in accordance with section 10 the Highways Act 1980 and to satisfy the reasonable requirements of Road Safety.

4. Non Standard Condition 2 (Pre Commencement Condition)

If any part of the construction and maintenance of the structure requires access on or through land that forms part of the operational area of the M25 DBFO network access should be co-ordinated through Connect Plus Services who act as maintenance provider on behalf of Highways England for the M25.

Reason:-

To preserve the requirements of the continuous operational and maintenance needs of the M25 motorway. Access arrangements should be co-ordinated through juliet.umeibekwe@connectplumsm25.co.uk

INFORMATIVES

1. **Approval - No negotiation required**

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0098.17
WARD: Brooklands **Date Received:** 30th January 2017
Expiry Date: 27th March 2017
ADDRESS: 5 Astor Avenue
ROMFORD

PROPOSAL: Single storey rear extension, double storey side extension with garage conversion, loft conversion, front boundary wall demolition with front garden paving replacement. Revised plans received 6th March 2017

DRAWING NO(S): 16015-D1
16015-D2
16015-D3 RevB
16015-D4 RevA
16015-D5
16015-D6 RevC
16015-D7 RevB
16015-D8 RevB

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

CALL-IN

This application has been called to Committee by Councillor Benham who has concerns regarding the following aspects of the development:-

- Is not in keeping with the surrounding area
- Noise and nuisance issues
- Sanitation issues
- Lack of existing car parking
- The property is being indirectly converted into a future HMO

SITE DESCRIPTION

The subject premises comprise a semi-detached, two storey house located on the north side of Astor Avenue. Astor Avenue is a relatively short road characterised by similarly designed, semi-detached houses and is not within a conservation area or other area of special control.

The property itself is finished in a mix of render and facing bricks and has a gable roof. There is a garage attached to the side which is linked to the garage of No.3. The site is generally flat and no trees are affected by the development.

There is parking space in front of the garage for 1 vehicle. Permit parking is in place in the street.

DESCRIPTION OF PROPOSAL

The proposals comprise the following distinct elements:-

- Construction of a two storey side extension up to the boundary incorporating a matching gable roof. At the front it will be setback approx. 0.4m on the ground floor and 1m at first floor, a shallow

mono-pitched roof links the two elements.

- Construction of a single storey rear extension which spans the full width of the property to a depth of 3m. The extension will incorporate a shallow mono-pitched roof.
- A rear dormer window which is to be clad in match tiles.
- Demolition of the front boundary wall and the laying out of a new paved area in permeable block paving.

RELEVANT HISTORY

P1480.01 - Two storey side and rear & single storey front and rear extensions
Apprv with cons 23-11-2001

CONSULTATIONS / REPRESENTATIONS

Surrounding occupiers were notified of the application.

One letter of representation has been received stating that the development would:-

- block out light to the front
- would have an uncharacteristic terracing effect
- would result in loss of outlook
- dirt and mess presumably during construction
- possible obstruction of access opposite

The objector had no concerns regarding the alterations to the garage and front garden.

A response to the planning issues raised by the objector is contained in the assessment below.

Issues relating to dirt and mess during construction and possible obstruction of driveways are not material planning considerations.

Environmental Health were consulted and confirmed no objections to the scheme from the potential noise point of view.

RELEVANT POLICIES

LDF

- DC33 - Car Parking
- DC61 - Urban Design
- SPD04 - Residential Extensions & Alterations SPD

OTHER

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

MAYORAL CIL IMPLICATIONS

The proposals are not CIL liable

DESIGN / IMPACT ON STREET / GARDEN SCENE

Inspection of Astor Avenue reveals that two storey side extensions are not uncommon in the street. Indeed, similar extensions to that proposed are found at Nos.11, 13, 15, 16 18 and 20 Astor Avenue. In this context, Staff consider the development would not be uncharacteristic or objectionable in principle.

Viewed from the front, the development has a subservient appearance which will relate well with the subject property in terms of design, bulk, scale and massing. The proposals provide for a 1m setback at first floor level which helps to minimise any unbalancing or terracing effect on the street scene. This accords with adopted guidance and is consistent with others in the street.

No visual objections are raised to the proposed removal of the existing low front garden wall and new paved area which is similar to others in the street.

To the rear, the single storey extension and dormer window will be widely visible in the rear garden environment. In this respect, the dormer window is of acceptable size and satisfactorily accommodated within the available roof space. The rear extension is considered to be modest in size and acceptably designed.

In all, subject to the use of appropriately matching materials, no objections are raised to the proposals from the visual impact point of view.

IMPACT ON AMENITY

Staff consider the potential impact upon adjoining properties to be the most sensitive issue in this case.

In this respect, the attached neighbour, No.7 has a rear conservatory and there is a low close boarded fence along the common boundary. At a depth of 3m the extension is comfortably within the 4m guideline for semi-detached houses. With an overall height of 3.45m and an eaves line of about 2.55m the development is slightly higher than normally permissible. However, given the modest depth of the extension and mindful that this neighbour already benefits from an extension of their own, any impact upon this neighbour is deemed to be modest and acceptable.

With regard to No.3. This neighbour lies to the east and has a garage to the side. there are three first floor windows on its flank, two of which have recently been blocked up whilst the third appears to serve a landing area. To the rear there is a part width conservatory and a low boundary fence. The proposed development is not considered to significantly impact this neighbour.

HIGHWAY / PARKING

The proposals will result in the loss of garage space but 2 spaces will be available to the front of the property which accords with guidelines and is acceptable.

No highway objections are therefore raised to this proposal.

OTHER ISSUES

The concerns raised by Councillor Benham have largely been dealt with above.

Regarding potential future use of the premises as an HMO, the plans provide no indication of such an intention. However, planning permission would be required for such a use and any future decision would be based on the circumstances appertaining at the time.

KEY ISSUES / CONCLUSIONS

The development is of acceptable design and not unlike other extensions constructed nearby.

The development is not deemed to be unneighbourly.

There are no highway objections to the development.

Having regard to the above considerations, it is recommended that planning permission be granted.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC10 (Matching materials)

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

Reason:-

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

3. SC46 (Standard flank window condition)

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

Reason:-

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

INFORMATIVES

1. Approval 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 by telephone 3rd March 2017. The revisions involved setting the first floor side extension back 1m, changes to the the rear dormer window and rear extension. . The amendments were subsequently submitted on 6th March 2017.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0143.17
WARD: Brooklands **Date Received:** 2nd February 2017
Expiry Date: 13th April 2017
ADDRESS: 32 Drummond Road
Romford
PROPOSAL: Construction of a granny annexe in the rear garden to provide ancillary residential accommodation for an elderly relative.
DRAWING NO(S): Site plan drawing - No 1
Proposed elevations - No 2.
Section drawing - No 3
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

This application has been called in by Cllr Robert Benham who has expressed the following concerns:

- not in keeping with the local area,
- noise and nuisance issues,
- sanitation issues,
- lack of existing car parking
- dwelling could be sold as a single dwelling in the future

SITE DESCRIPTION

The application site is a residential two storey semi- detached dwelling. The surrounding area is characterised by similar dwellings.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for a detached single storey granny annexe to the rear of 32 Drummond Road to occupy a space formerly occupied by a large detached shed with a substantial concrete base.

The annexe would be set in 0.20m from the rear boundary and both side boundaries .

The annexe would have a width of 4.8 metres with depth of 3.6m, with a pitched roof with a ridge height of 3.4m with eaves at 2.5m above ground level.

Two shallow roof lights are proposed to the rear roof slope and a single roof light is proposed on the front roof slope. Internally the annexe would comprise of a shower room/toilet and an open plan kitchen/lounge and sleeping area.

The annexe would be occupied by an elderly relative.

RELEVANT HISTORY

CONSULTATIONS / REPRESENTATIONS

One letter of objection has been received expressing concerns that the proposed development was not in keeping with the local area, that there would be noise, nuisance and sanitation issues, lack of existing car parking and that the dwelling could be sold as a single dwelling in the future. With regard to sanitation issues, having visited the site staff are satisfied that drain runs are in place that can be connected to for the disposal of waste. With regard to the other aspects of the objection these issues are considered in the relevant sections below.

RELEVANT POLICIES

LDF

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

OTHER

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

MAYORAL CIL IMPLICATIONS

Mayoral CIL is not applicable in this instance.

PRINCIPLE OF DEVELOPMENT

The Residential Extensions & Alterations SPD defines a residential annexe as accommodation that is ancillary to the main dwelling within the residential curtilage and must only be used for this purpose. The guidance states that the annexe must form part of the same planning unit, sharing facilities, including access, parking and garden areas.

The layout, design and physical relationship between the house and the proposed annexe are therefore important considerations, and the proposed annexe must demonstrate clear connections with the main dwelling. The size and scale of the accommodation to be provided should be proportionate to the main dwelling. As a guide, the scale should be such that the annexe could be used as a part of the main dwelling once any dependency need has ceased.

Although it is capable of independent occupation by virtue of its facilities, it would be unlikely to be occupied by anyone other than people closely associated with the occupants of the main house and who would therefore be content to share the remaining curtilage area to no. 32 Drummond Road and live closely overlooked by those in the main house. The application confirms that the development is required to provide ancillary residential accommodation for an elderly relative and it is judged that the issue of occupancy could be satisfactorily controlled by conditions to require it to remain an ancillary annexe.

The annexe building appears to be arranged to demonstrate clear connections with the main dwelling and its use would be entirely in an ancillary capacity to 32 Drummond Road in accordance with the provisions of the Residential Extensions & Alterations SPD.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 of the LDF Development Plan Document 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 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

When reviewing the merits of this application, consideration was given to the fact that the annexe would replace a large shed (now demolished) and would sit next to an existing large pitched roof shed in the rear garden of the neighbouring property of 30 Drummond Road

Staff consider that the annexe would integrate satisfactorily in the rear garden environment, as it is single storey and of moderate height and would not appear disproportionate in relation to the main residence.

The annexe would not be visible from the street scene therefore no issues arise in this respect.

IMPACT ON AMENITY

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.

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.

Staff have given consideration to the scale and bulk of the proposed detached annexe in relation to the garden size of the application site and surrounding properties. The site is bounded by a close boarded fence, which would serve to screen a considerable amount of the proposals height and depth. Staff conclude that despite the proposed annexe occupying a prominent position, visible from a number of aspects, that it would not unacceptably detract from neighbouring amenity by reason of its modest height, which is only marginally greater than that which could be achieved under Permitted Development Class E which allows outbuildings of 2.5m within 2.0m of the common boundary.

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 use 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. Potential

disturbance by noise during construction can be addressed by an appropriate condition constraining the hours of construction.

Staff consider that it is 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 of 32 Drummond Road.

On balance and subject to safeguarding conditions officers are of the view that the proposed annexe would be in accordance with provisions of Policy DC61 and the Residential Extensions & Alterations SPD.

HIGHWAY / PARKING

The proposal would have no bearing on existing provision of parking.

KEY ISSUES / CONCLUSIONS

The proposed single storey detached annexe building would demonstrate clear connections with the main dwelling and its use would be entirely in an ancillary capacity to No.32 Drummond Road. The scale, height and massing of the proposed building would be sympathetic to the 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.

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.

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. Annex Condition 1

The garden area shall not be subdivided at any time and nor shall there be any additional pedestrian or vehicular accesses into the site.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

4. Annex Condition 2 ENTER ADDRES

Any residential occupation of the building hereby approved shall be limited to immediate family members of the family occupying the main house at 32 Drummond Road for residential purposes and shall not be occupied by any other persons.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

5. Annex Condition 3

The annexe building hereby permitted shall not be arranged or disposed of as a separate unit of residential accommodation from the use of the main dwelling.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

6. SC46 (Adapted flank and rear window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank or rear 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.

7. SC62 (Hours of construction)

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

Reason:-

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

8. Non Standard Condition 31

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) Article 3, Schedule 2, Part 1, Classes A and E and Part 2, Class A, no extensions or outbuildings shall be erected 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 order that the annexe approved remains ancillary to the main dwelling, in the interests of amenity, to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

INFORMATIVES

1. Highways Informatives

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

2. Approval - No negotiation required

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0234.17
WARD: Hylands Date Received: 10th February 2017
Expiry Date: 7th April 2017
ADDRESS: Park House
157 Park Lane
Hornchurch
PROPOSAL: Change of use to mixed residential and childcare use for up to 12 children (aged 2 to 5 years).
DRAWING NO(S): 'C1145/16/105'
'C1145/16/103'
'C1145/16/104'

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 Jody Ganly on the grounds that she is not satisfied with the proposed parking and drop off arrangements, as who would enforce what the applicant has proposed? Councillor Ganly comments that residents in Mendip Road already suffer congestion from St. Marys Catholic School and speeding traffic to cut out the traffic lights at the junction of Hornchurch Road/ Park Lane. Councillor Ganly believes that Mendip Road would bear the brunt of the increased vehicular movement and noise and feels this will impact on residential amenity.

SITE DESCRIPTION

The application relates to the property at Park House, 157 Park Lane, Hornchurch. This is a two-storey end terrace property located on the junction of Park Lane and Mendip Road. The property is set out with a small garden area and stepped access to the front and garden to the rear. At the end of the garden are a pair of detached garages accessed from Mendip Road, set back from the road with a hardstanding forecourt.

The site is located within a predominantly residential area characterised by two-storey semi-detached and terraced houses, and flatted accommodation.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the change of use of the building to a mixed residential and childcare use for up to 12 children (aged 2 to 5 years).

It is intended that the nursery would operate between the hours of 08:00 to 18:00 on Monday to Friday and not at all at weekends or bank holidays, and would employ 1 member of staff.

The proposal would involve a minor internal reconfiguration of the ground floor of property to create a more open plan environment for domestic and childcare use.

The main area for use by children would include an air conditioning unit so that windows would not

need to be opened during warm weather. In addition, an acoustic sound proofing system would be installed to the adjoining neighbours wall and all flooring would include acoustic soundproofing underlay.

Externally, the steps at the front of the property would be removed and the area rearranged to road level and re-landscaped with a smaller set of replacement stairs installed. A new cycle shed would also be introduced. To the side of the property a replacement larger access gate would be installed.

In terms of parking and drop-off, the two detached garages to the rear would be demolished and the area widened to form 3no. parking spaces (allocated as two residential spaces and one staff space) with 3no. 'drop-off/ pick up only' parking bays set out in front.

To minimise disturbance to neighbouring residents and distribute trips associated with the child care use, it is proposed that daily start and finish times for children would be staggered, so not all parents would be arriving at the same time.

In the rear garden a broad planting buffer strip would be introduced along the boundary with the adjoining property which would be contained by additional acoustic fencing.

RELEVANT HISTORY

P1188.16 - Change of use and extension to form a new children's day nursery
Refuse 28-10-2016

CONSULTATIONS / REPRESENTATIONS

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

- Noise, increased volume of traffic and congestion.
- Lack of car parking provision and increased pressure on existing spaces.
- There is no need or requirement for an additional child care in this area.

Early Years Planning and Organisation Officer - The Childcare Sufficiency Report 2014/15 supports the evidence that there is a fundamental shortage of childcare provision in the Hylands ward. There is therefore a real need to increase the number of childcare places within this area.

Environmental Health - no objection, recommended conditions in relation to noise insulation and measures to reduce noise emissions.

Local Highway Authority - no objection, recommended a condition relating to the installation of a pedestrian visibility splay.

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

-

LONDON PLAN - 6.10 Walking

-

LONDON PLAN - 6.13 Parking

-

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The application is for the change of use of existing floor space and therefore would not be liable for any payments under the Mayoral CIL regulations.

STAFF COMMENTS

The main considerations relate to the principle of the change of use, the impact on amenity of neighbouring residential occupiers and the implications for parking and highway safety.

This application follows the refusal of planning application P1188.16 in October 2016 which sought permission for a children's day nursery for up to 20 children. In comparison this current application has reduced the maximum number of children to 12 and is seeking an arrangement of childcare on domestic premises, rather than a dedicated use as a nursery.

The 'mixed use' would operate in a manner akin to a child minder looking after children at home. A series of other measures have been included, such as the installation of noise insulation and additional planting in the garden, to try and address the previous concerns in relation to noise and disturbance to surrounding residents.

Staff recognise that there are some areas of judgement around noise, intensity of activity and the degree of impact this would have on nearby residents' living conditions.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The creation of the driveway/ parking area and the installation of the ramped access to the front of the building would form a relatively minor alteration and would serve to maintain the character and appearance of the surrounding area.

The demolition of the two detached garages would also have a minimal impact in the streetscene at Mendip Road. The area is already surfaced with hardstanding and used for the parking of vehicles.

IMPACT ON AMENITY

Policy DC61 states that planning permission will not be granted where the proposal has adverse effects on the environment by reason of noise impact, hours of operation and fumes.

The site is located within a residential area with a mid-terraced house directly adjoining at No.159. However, it is recognised that Park Lane is a relatively busy road the application property lies some 70 metres from the junction with A124 Hornchurch Road, so this part of Park Lane and Mendip Road has a more of a transitional character than a quiet suburban street.

It is intended that the childcare element would operate between the hours of 08:00 to 18:00 on Monday to Friday and not at all at weekends or bank holidays, and would care for up to 12 children (aged 2 to 5 years), employing 1 member of staff.

The previously refused application for a nursery was for up to 20 children and five members of staff. It should be noted that the current application is substantially different in that it does not propose a nursery use. Instead the applicant intends to live at the property and operate as a child minder looking after children at home from a residential property.

To address concerns of noise emanating from the premises the main internal area for use by children would include an air conditioning unit so that windows would not need to be opened during warm weather helping to contain any noise. In addition, an acoustic sound proofing system would be installed to the adjoining neighbours party wall and all flooring would include acoustic soundproofing underlay. It is considered that these measures, coupled with the more limited number of children attending on a daily basis, would serve to mitigate the earlier concerns in relation to noise and disturbance.

In the rear garden a broad 4.3 metre wide planting buffer strip would be introduced along the boundary with the adjoining property No.159 Park Lane, which would also be contained by additional acoustic fencing at a minimum of 1.8 metres high. A new rubberised surface would replace the hard standing patio area which would help to absorb noise, from for example ridden toys as well as footsteps. It is considered that these proposed mitigating measures would create an effective buffer and ensure that any outdoor activities would be focused towards the rear of the house and in the parts of the rear garden adjacent the footway with Mendip Road - and crucially contained well away from the adjoining neighbour at No.159. Given these circumstances it is not considered reasonable in this instance to restrict the number of children using the garden. However, Staff recognise that this is a matter of judgement and Members may wish to explore this matter further.

To minimise any disturbance to neighbouring residents at Mendip Road from vehicle movements, it is proposed that daily start and finish times for children would be staggered, so not all parents would be arriving and leaving at the same time of day. Staff acknowledge that this would help to distribute trips associated with the child care use.

Staff recognise that there are some areas of judgement around noise, intensity of activity and the degree of impact this would have on nearby residents' living conditions. However, in terms of the impact on residential amenity, Staff are satisfied that the current proposal has successfully employed a number of measures aimed at reducing the impact on neighbouring amenity. As a matter of judgement, it is not considered that the proposal would result in a materially greater

amount of noise and or activity than what could reasonably be expected from a residential property. The series of noise mitigating measures and management would all help to allow the child care to operate relatively discretely at the property. As such the potential harm to residential amenity would be minimal and is considered, as a matter of judgement, not to be to an extent on which a refusal decision could be based.

In addition, it is also acknowledged that these are matters of careful judgement and account should also be taken that there is a fundamental shortage of childcare provision in the Hylands ward.

HIGHWAY / PARKING

The parking requirement for day nurseries are listed within Annex 5 of the Development Control Policies DPD, and sets out that the maximum parking standard is 1 space per member of staff plus a drop off facility.

The proposed car parking would provide 2no. residential parking spaces and 1no. staff car parking space, with 3no. parent drop-off spaces set out in front. The drop off area and parking spaces would be accessed from the existing driveway point off Mendip Road to the rear of the property. While the residential and staff spaces would be blocked by cars dropping off, this would not pose an issue as home owner/ staff would arrive before children/parents and leave after them.

It is proposed that one member of staff would be employed resulting in a sufficient level of parking provision. Additional cycle storage racks would also be provided to the front to facilitate alternative modes of transport.

As a result the Local Highway Authority have raised no objections in relation to parking and highway safety. As such the proposed parking and access arrangements are in accordance with policy and are considered to be acceptable.

KEY ISSUES / CONCLUSIONS

It is recognised that the extent of these issues is a matter of careful judgement. However, in terms of the impact on residential amenity, Staff are satisfied that the current proposal has successfully addressed the earlier concerns. It is not considered that the proposal would result in a materially greater amount of noise and or activity than what could reasonably be expected from a residential property.

The development is considered to be in accordance with the provisions of Policies DC26 and DC61 and it is recommended that planning permission be approved 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. Parking and Drop off (Pre Commencement Condition)

The use hereby permitted shall not be commenced until provision has been made on site for staff and other parking and drop-off/pick-up areas in accordance with the details shown on drawing number 'C1145/16/105'. Thereafter, the parking and drop-off areas shall be kept free of obstruction and available for the parking of vehicles and dropping-off/picking-up of children associated with the development.

Reason:-

To ensure that there are adequate parking and drop-off/pick up facilities to serve the development in the interests of highway safety and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

4. SC14A (Visibility splay)

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

Reason:-

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

5. SC27 (Hours of use) ENTER DETAILS

The premises shall not be used for commercial child care purposes other than between the hours of 08:00 and 18:00 on Monday to Friday and not at all on Saturday, Sunday, 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.

6. Number of Children

The maximum number of children accommodated within the premises hereby approved shall not exceed 12 at any one time, including the residents own children, without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control and to avoid disturbance to adjoining residents, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

7. Number of Additional Staff

The maximum number of additional staff within the premises hereby approved, associated with the child care use, shall not exceed 1 at any one time.

Reason:-

To enable the Local Planning Authority to retain control and to avoid disturbance to adjoining residents, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

8. SC11 (Landscaping) (Pre Commencement Condition)

Prior to the commencement of the development hereby approved, the proposed hard and soft landscaping measures as indicated in drawing 'C1145/16/105', shall be implemented to the full satisfaction of the Local Planning Authority. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority. The part of the garden shown as planted areas shall be retained as such permanently thereafter.

Reason:-

To ensure suitable landscaping measures and that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

9. SC13B (Boundary treatment) (Pre Commencement)

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

Reason:

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

10. Noise Insulation

The use hereby permitted shall not commence until the property walls and floors have been internally treated with the insulating materials as detailed in the submitted planning statement (dated February 2017). Any works which form part of the scheme shall be completed to the full satisfaction of the Local Planning Authority and before any of the property is occupied for the purposes hereby approved. The insulating materials shall be retained permanently thereafter.

Reason:-

To prevent noise nuisance to adjoining properties and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. Acoustic Fencing (Pre Commencement Condition)

The use hereby permitted shall not commence until acoustic fencing has been installed, at a minimum of 1.8 metres in height, in accordance with the details shown on drawing number 'C1145/16/105' and the submitted technical specification details. The fencing shall be permanently retained and maintained thereafter.

Reason:-

To prevent noise nuisance to adjoining properties and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

12. Patio Surfacing

The use hereby permitted shall not commence until the rear patio area has been resurfaced with a rubberised floor covering in accordance with details shown on drawing number 'C1145/16/105'. The rubber floor covering shall be permanently retained and maintained thereafter.

Reason:-

To prevent noise nuisance to adjoining properties and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. Approval - No negotiation required

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

2. Planning obligations

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

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

3. Highways Informatives

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

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

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

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 6th April 2017

APPLICATION NO. P0308.17
WARD: Brooklands **Date Received:** 17th February 2017
Expiry Date: 14th April 2017
ADDRESS: 52 Crow Lane
Romford
PROPOSAL: Proposed garage conversion to liveable space.
DRAWING NO(S): Ground Floor Existing
Plan with site edged in red
Ground Floor Proposed
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

A call in has been received from Councillor Benham on the grounds that the proposal would not be in keeping with the local area, noise and nuisance issues, sanitation issues and lack of existing car parking.

SITE DESCRIPTION

Residential, two storey semi-detached dwelling finished in face brick. Parking for four vehicles, three on the driveway and one in the garage. Surrounding area is characterised by single and two storey dwelling of various styles and designs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the conversion of the integral garage. The garage would be converted into a utility room and a living room/office with a new window and brickwork provided in the space left by the garage door.

The application has been submitted in order to vary condition 4 of planning consent L/HAV 592/74 which states;

Notwithstanding the provisions of the Town and Country Planning General Development Order the garage(s) shall not be used for any purpose than garaging of motor vehicles without the prior consent in writing of the Local Planning Authority.

Reason:- In view of the restricted nature of the site and to ensure that satisfactory off-street parking is provided at all times.

RELEVANT HISTORY

L/HAV 2054/73 - Demolish dwelling & erect terrace of 3 - Approved.

L/HAV 2055/73 - One dwelling & garage - Approved.

L/HAV 592/74 - Pair of semi-detached houses & garage - Approved.

CONSULTATIONS / REPRESENTATIONS

Two e-mails of representation were received, one from a neighbouring resident querying some points and the other e-mail was from a Local Councillor objecting to the proposal and for the application to be called in to committee.

The resident queried the following points and requested written confirmation of the following:

- 1) The proposed length of time the works will take;
- 2) The proposed start date;
- 3) The name of the contractors carrying out the works;
- 4) The days and hours during which the works will be carried out;
- 5) Confirmation that no body (contractors or otherwise) will be on our property during the works at any time;
- 6) Confirmation that any damage to our property and/or car (which is parked on the neighbouring driveway and can only be parked there during the day and night) will be paid for by the applicant

The case officer has responded to the resident queries however, the comments raised are not material planning considerations which can be taken into account in determining this application.

The comment by the Local Councillor in respect of sanitation issues is not a material planning consideration but a building control issue.

The Highway and Environmental Health Department have no objections to the proposal and the latter have no comments either with regards to the application in terms of noise, contaminated land and air quality issues.

RELEVANT POLICIES

LDF

- DC33 - Car Parking
- DC61 - Urban Design
- SPD04 - Residential Extensions & Alterations SPD

OTHER

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

MAYORAL CIL IMPLICATIONS

This application is not CIL liable.

STAFF COMMENTS

DESIGN / IMPACT ON STREET / GARDEN SCENE

It is not considered that the conversion of the garage to habitable space would have an unacceptable impact on the street scene. In addition, it is noted that the attached neighbour at

No.50 has already benefited from a garage conversion.

The proposed materials and finish would match the existing materials and therefore the proposal would not have an unacceptable impact on the character of the existing dwelling or the surrounding area.

The additional fenestration would also match that which exists in size and position therefore limiting any potential impact on the street scene. No objections are raised from a visual point of view.

IMPACT ON AMENITY

The proposed change of use of the garage to a utility room and living room/study would involve the removal of the garage door and the installation of a new window, with no other change to the external structure. The window would face the street, which is a public area, as such it is not envisaged that there would be any loss of privacy from this development.

It is considered the proposal would not have adverse impact to the neighbouring dwellings in terms of loss of light or amenity. As previously mentioned, the Environmental Health Department have no objections to the proposal on noise grounds and mindful that the attached neighbour has benefited from a garage conversion, it would be difficult to demonstrate how the proposal would create any noise or nuisance issues over that which may currently exist on site.

No objections are raised from a neighbourliness point of view.

HIGHWAY / PARKING

The application site has a PTAL of 1a. Although, the proposal would remove the use of the garage, three parking spaces would be retained to the front of the property. Policy DC33 of the LDF Core Strategy and Development Control Policies DPD requires two parking spaces.

It is considered the three parking spaces which would be retained would be sufficient for a property of this size and be in excess of the two parking spaces normally requested. No highway or parking issues would arise from the proposal.

KEY ISSUES / CONCLUSIONS

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

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. SC10 (Matching materials)

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

Reason:-

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

3. SC32 (Accordance with plans)

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

Reason:-

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

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.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

6 April 2017

Subject Heading:

P0092.17
25-29 Market Place, Romford

Part change of use and conversion of ground, first and second floor retail floorspace; third floor extension; and elevational changes to accommodate an 85 bedroom hotel including restaurant (ground floor retail to be retained) (Application received 20th January 2017)

Ward:

Romford Town

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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

Policy context:

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

Financial summary:

Not relevant

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

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

SUMMARY

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

This is a re-submission of a previous application which was refused planning permission. The applicant has sought to review the scheme in an attempt to overcome the reasons for refusal and in doing so has revised the proposed cladding and façade treatment, undertaken further transport assessments and provided additional information on proposed servicing arrangements.

RECOMMENDATIONS

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

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following obligations by 6 October 2017 and in the event that the s106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

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

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

Reason:-

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

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

Reason:-

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

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

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policies DC61 and DC68 of the Development Control Policies Development Plan Document.

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

Reason:-

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

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

Reason:-

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

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

Reason:-

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

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

maintained and operated within design specifications during normal working hours.

Reason:-

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

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

Reason:-

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

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

Reason:-

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

10. Before the use hereby permitted commences a detailed scheme for the servicing arrangements of the hotel and retail unit shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include details of vehicles proposed for servicing, timings and co-ordination, together with any measures proposed to ensure that vehicles do not pose an undue

safety risk to pedestrians or other vehicles. The arrangements shall be adopted and maintained for the life of the development hereby approved.

Reason:-

Details of the proposed servicing arrangements have only been submitted in draft/framework form. Requirement to submit details of exact measures will allow the Local Planning Authority to ensure measures suggested are implemented in the interests of highway and pedestrian safety and to comply with Policies DC32, DC36, DC61 and DC63 of the Development Control Policies Development Plan Document.

11. 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 Policy DC61 of the Development Control Policies Development Plan Document.

12. 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 Policy DC61 of the Development Control Policies Development Plan Document.

13. 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 with Policy DC61 of the Development Control Policies Development Plan Document.

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

Reason:-

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

Informative

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for

Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

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

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

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

3. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see: www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx
4. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, who can be contacted via email on: DOCOMailbox.NE@met.police.uk or via telephone on: 0208 217 3813.
5. Due to the presence of National Grid apparatus in proximity to the application site, the applicant is advised to contact National Grid before any works are carried out to ensure that the aforementioned apparatus is not affected by the development.

6. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
7. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £12,120 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
8. 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 Background

- 1.1 This is a re-submission of a previously refused application (ref: P0489.16). The previous application which was for the same development/use as proposed by this application was refused planning permission for three reasons:
 - The proposed development would, by reason of its height, result in a unsympathetic, visually intrusive addition to the building. The proposed design, appearance and materiality of the development would not preserve or enhance the special character of this part of Romford Conservation Area and accordingly it is considered that the development is contrary to policies CP17, CP18, DC61, DC67 and DC68 of the Core Strategy and Development Control Policies Development Plan Document; and policies 7.4, 7.6 and 7.8 of the London Plan.
 - The proposed development would, as a result of the lack of drop-off facility, result in vehicles parking and waiting on Market Link to the detriment of traffic flow and highway safety, contrary to policies DC32, DC33 and DC61 of the Core Strategy and Development Control Policies Development Plan Document; and policies 6.1, 6.3 and 6.13 of the London Plan.

- The proposed servicing arrangements would result in vehicles reversing from Market Link into Ducking Stool Court which would be hazardous to highway and pedestrian safety, contrary to policies DC32, DC36 and DC61 of the Core Strategy and Development Control Policies Development Plan Document; and policies 6.1 and 6.3 of the London Plan.

1.2 The applicant has as part of this re-submission sought to review the cladding and façade treatment of the building; undertake further assessments in terms of traffic flow and highway safety; and further detail the servicing arrangements. The revisions made are assessed in the below sections of the report in context of planning policy and the original reasons for refusal.

2.0 Site Description

2.1 The application site comprises 25-29 Market Place, which is located on the corner of Market Link and extends to Ducking Stool Court. The property was previously occupied by TJ Hughes (the department store) however the building is now occupied by B&M Bargains on the ground floor only. The upper floors of the building (the first and second floors) are vacant.

2.2 With regard to the building itself, dating from the 1960's, the building is located prominently on the corner of Market Place and Market Link. The building is clad in ceramic and is Art Deco in style and appearance, with narrow window details. The Market Link elevation of the building is constructed in red stock bricks and similarly has narrow window details over all floors. The building is currently serviced to the rear, from Ducking Stool Court, with roller shutters to a loading bay.

2.3 In terms of the locality, given the sites town centre location, the surrounding land uses are principally retail in character. Immediately adjacent to the building, to which this application relates, is a four storey development comprising ground floor retail units and residential development on the first to third floors. On the opposite side of Market Link are two and three storey commercial units, next to which is St Edward the Confessor's Church. The Church is Grade II* Listed. Ducking Stool Court to the rear, as previously referred, provides servicing access to the property, Romford Shopping Mall and access to the Romford Shopping Mall multi-storey car park. On the opposite side of Ducking Stool Court is a five storey apartment block (Hazeleigh House) and this adjoins the Travelodge Hotel.

2.4 In terms of designations, the Market Place elevation of the building forms the boundary of the Romford Conservation Area and the building in its entirety forms part of Romford Town Centre.

3.0 Description of Proposal

3.1 This application seeks planning permission for the part change of use, refurbishment (including elevation changes) and a part extension to 25-29 Market Place to accommodate an 85-bedroom hotel and restaurant to be

operated by Premier Inn. In respect of the above, planning permission is sought to construct a third floor extension to the building. The extension would comprise 1,202m² floorspace.

- 3.2 The existing ceramic clad façade to Market Place and Market Link would, in addition to the extension, be over clad with a metallic effect cladding system. Following the previous refusal, the applicant has sought to review the colour scheme of this cladding and has now proposed the cladding in two red tones to complement rather than contrast the existing contextual palette.
- 3.3 The existing red brick elevations along Market Link and Ducking Stool Court are proposed to be retained but enhanced with improved window design. In respect of this, windows have been designed, generally, with louvred grills. The first floor windows to Market Place are nevertheless proposed deeper and omit the louvres to enhance activity and enhance the visual presence of the restaurant as a public element.
- 3.4 In terms of access, the hotel is proposed to be accessed via the Market Link elevation. This would provide access to an entrance lobby, stair core and two lifts to the first floor. On the first floor is the proposed main reception and restaurant area. The restaurant would be open to the public, not just customers of the hotel. 18 rooms would also be located on the first floor of the building with 67 rooms proposed on the second and proposed third floor of the building.
- 3.5 No car parking is proposed as part of the development with it suggested that guests could either utilise public transport (the site has a PTAL of 6a) or public car parks in close proximity of the site.

4.0 Relevant History

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

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

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

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

P0489.16 - Part change of use and conversion of ground, first and second floor retail floorspace; third floor extension; and elevational changes to accommodate an 85 bedroom hotel including restaurant – Refused 06/09/2016. Appeal submitted.

The Local Planning Authority also has an open enforcement case relating to this building and the provision of unauthorised advertisement signs. Whilst some signs were removed from the building in 2015, investigations are still on-

going with regard to one remaining sign on the south-west elevation of the building.

5.0 Consultations/Representations

5.1 475 properties were directly notified of this application. The application was also advertised by way of site notice and press advert. No letters of public representation have been received.

5.2 Consultation has also undertaken with the following:

Anglian Water - No comments received.

EDF Energy - No comments received.

Essex and Suffolk Water - No objection.

Highway Authority - No objection subject to a £10,000 financial contribution for local pedestrian dropped kerb improvements and the provision of a loading bay in Ducking Stool Court.

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

London Borough of Havering Environmental Health - No objection. It is however recommended, given the former use of the site, and uses nearby, that consideration should be given to the requirement for contamination surveys, should additional foundations be required to support the extension. It is also recommended that an Air Quality Assessment inclusive of details of equipment proposed to remove and/or disperse odours and odorous material as part of the extract ventilation system; a scheme for any new plant or machinery to ensure that no such plant or machinery is installed to exceed LA90 -10dB at the nearest noise sensitive premises; and a scheme for sound insulation be secured by condition.

London Fire Brigade - No objection.

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

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

Romford Civic Society - No comments received.

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

UK Power Networks - No comments received.

6.0 Relevant Polices

- 6.1 LDF Core Strategy and Development Control Policies Development Plan Document (LDF): CP3 - Employment, CP4 – Town Centres, CP9 - Reducing The Need To travel, CP15 – Environmental Management, CP17 – Design, CP18 – Heritage, DC13 – Access To Employment Opportunities, DC14 - Hotels, DC15 – Locating Retail and Service Development, DC16 – Core and Fringe Frontages in District and Local Centres, DC32 - The Road Network, DC33 - Car Parking, DC36 - Servicing, DC40 - Waste Recycling, DC49 - Sustainable Design and Construction, DC50 - Renewable Energy, DC51 - Water Supply, Drainage and Quality, DC52 – Air Quality, DC53 - Contaminated Land, DC55 - Noise, DC56 – Light, DC61 - Urban Design, DC62 – Access, DC63 - Delivering Safer Places, DC67 Buildings Of Heritage Interest, DC68 Conservation Areas, DC72 - Planning Obligations
- 6.2 The Council's Designing Safer Places SPD, Heritage SPD, Landscaping SPD, Sustainable Design and Construction SPD, Planning Obligation SPD, Romford Area Action Plan and Romford Town Centre Development Framework
- 6.3 London Plan: 2.6 - Outer London: Vision and Strategy, 2.7 - Outer London: Economy, 2.8 - Outer London: Transport, 2.15 – Town Centres, 4.5 – London's Visitor Infrastructure, 4.7 – Retail and Town Centre Development, 5.3 – Sustainable Design and Construction, 5.13 - Sustainable Drainage, 5.21 - Contaminated Land, 6.1 - Strategic Approach, 6.3 - Assessing Effects Of Development On Transport Capacity, 6.9 - Cycling, 6.13 - Parking, 7.2 - An Inclusive Environment, 7.3 - Designing Out Crime, 7.4 - Local Character, 7.5 - Public Realm, 7.6 - Architecture, 7.7 - Location and Design Of Tall And Large Buildings, 7.8 - Heritage Assets and Archaeology, 7.14 - Improving Air Quality, 7.15 - Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes, 8.2 - Planning Obligations and 8.3 - Community Infrastructure Levy
- 6.4 Government Guidance: National Planning Policy Framework and National Planning Practice Guidance

7.0 Mayoral CIL Implications

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

8.0 Appraisal

- 8.1 It is considered that the key issues in the determination of this application are the principle of the development; the proposed design of the extension and re-cladding and the impact of this on the street-scene and conservation area; any potential impact on near-by residential amenity; and any potential impact on local infrastructure and congestion. With in-particular consideration being given to the changes made to the scheme following the previous reasons for refusal.

Principle of Development

- 8.2 Policy DC14 of the Core Strategy states that Romford is the preferred location for large scale hotel development. The supporting text to the policy states that hotels strengthen the wider role of the town centre and provide a range of employment opportunities. The present trend of increasing numbers of tourists visiting London is expected to continue and the Greater London Hotel Demand Study (2006) estimated that the hotel stock in Havering represented just 0.3% of the total London supply. The Study estimated that between 2007 and 2026, an additional 330 new hotels rooms would be required in Havering and with regard to this it is even suggested that additional demand may exist following the completion of major infrastructure projects such as Crossrail.
- 8.3 Policy 4.5 of the London Plan states that Boroughs should support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors, seeking to improve the range and quality of provision, especially in outer London. In respect of this, and planning decisions, development should contribute towards the hotel provision target (40,000 net additional hotel rooms by 2036) and ensure that 10% of rooms are wheelchair accessible. Decisions should furthermore seek to ensure that hotels are located in areas consistent with strategic location principles.
- 8.4 This site is located within Romford town centre. Policy DC16 of the Core Strategy and policy ROM10 of the Romford Area Action Plan both state that in district centres or retail cores (such as Romford) planning permission for non-retail uses will only be granted in certain instances. Both policies nevertheless relate to just the ground floor of buildings and whilst changes would be required to facilitate access to the hotel, the A1 retail use of the ground floor would be maintained in this instance.
- 8.5 The main entrance to the hotel, proposed off Market Link, would have an active frontage and would be open during shopping hours and as such it is not considered that the use *per-se* would significantly harm the character, function and vitality and viability of the town centre. The Romford Town Centre Development Framework, with regard to this, suggests that opportunities to provide additional activity in the form of residential uses (including hotels) above retail areas should furthermore be encouraged.
- 8.6 Noting the above and the policy position portrayed in respect of the preferred location for hotels, no principle objection is raised to this development coming forward. This site is located in an area with an excellent PTAL rating (6a) and

is considered highly accessible by a number of different methods of public transport.

Design and Impact on the Street Scene and Conservation Area

- 8.7 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must (only criteria relevant to this application have been detailed) harness the topographical and ecological character of the site; respond to distinctive local building forms and patterns; compliment or improve the amenity and character of the area; reinforce, define and embrace the street; create or enhance and clearly define public and private realms; and be durable, flexible and adaptable.
- 8.8 Expanding on this Policy ROM7 of the Area Action Plan states that any new development with a frontage to the Market Place will be required to respect the scale and massing of existing buildings in the Market Place, to reinforce the sense of enclosure and emphasise its civic importance in line with ROM20. Policy ROM20 details that development will be required to:
- respect the scale and massing of existing buildings in the Market Place;
 - reinforce Romford's traditional street layout;
 - preserve or enhance the view of the spire of St Edward the Confessor along South Street from Romford Station and other local views which enhance the centre's legibility;
 - reinforce the prominence and importance of the High Street/North Street axis; and
 - increase civic pride by creating a sense of place.
- 8.9 As detailed in the 'Site Description' section of this report, this site is partially located within the Romford Conservation Area and also in close proximity to St Edward the Confessor's Church which is Grade II* Listed. The statutory duty applied to Local Planning Authorities in the exercise of their planning function in respect of listed buildings and conservation areas is set out in Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Expanding and to some degree replicating that detailed in the Act, the NPPF suggests that when determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.

- 8.10 The Character Appraisal and Management Proposals for Romford Conservation Area notes that most of the later 20th century buildings in the Market Place (the building to which this application relates included) are a mix of bland frontages alongside Edwardian facades and 1930s buildings. It is suggested that there is not a predominant local material but most 19th century buildings are constructed in stock and dark red brick, with commercial buildings employing freestone for cladding and decorative work.
- 8.11 Policy DC67 of the Core Strategy states that planning permission involving listed buildings or their setting will only be allowed where:
- it does not involve the demolition of a listed building; and
 - it does not adversely affect a listed building or its setting.
- 8.12 Policy DC68 goes on to state that the character and appearance of conservation areas will be preserved or enhanced. Planning permission for development within conservation areas will only be granted where:
- it does not involve the demolition of a building that makes a positive contribution to the character or appearance of the area;
 - it preserves or enhances the character or appearance of the conservation area and is well designed;
 - it does not involve the loss of trees which contribute towards the character or appearance of the conservation area; and
 - in the case of Gidea Park Conservation Area, it ensures that all subdivision of plots particularly within the 1911 Exhibition and Competition housing areas result in plot sizes similar to those of surrounding properties.
- 8.13 Staff acknowledge, as noted in many adopted Council documents, that this building is made up of a number of largely 'blank' façades that do not positively contribute to the local environment. This impact is compounded by the location and prominence of the building, which by default plays a significant part in the perceived character of the area. On review of the proposed development and design, staff have considered the immediate context, the scale and form of the adjoining and adjacent buildings and that (development) to which planning permission exists for at 17-19 Market Place and within the Market Place itself.
- 8.14 It is accepted that the additional storey would be at contrast to that on the other side of Market Link and this impact/concern was raised as one of the reasons for refusal previously. However, staff note that since this decision was issued, as alluded above, there has been a resolution to grant planning permission (ref: P1483.16) for an extension to 17-19 Market Place to create six flats, which will increase this building to three storeys, plus ground, with residential accommodation also contained within a fully pitched roof. Mindful of this staff do not consider the extension would be overly incongruous or of a scale to significantly detract from the setting of Conservation Area.
- 8.15 The Romford Town Centre Development Framework details that buildings in the 'Historic Core' of the town centre (which includes Market Place) are generally between two and five storeys. Expanding on this, it is nevertheless

suggested that, as this is the most distinct area in the town centre, future development should seek to reinforce the historic character and contribute to the vitality of the area. Noting previously comments provided in this report with regard to the principle of a hotel in the town centre, staff turn to the design of the development. In respect of this, it is considered that the additional and enlarged windows, proposed as part of this application, would add to the architectural merit of the building and, overall, improve the street appeal of the building. The metallic effect cladding roof, visible along Market Link and Ducking Stool Court, furthermore would give the building a cleaner roof line.

- 8.16 Looking at the proposed material palette, and re-cladding of the building, the applicant has sought to review this, following the previous refusal and concerns about the colours chosen and impact on the conservation area. In respect of this, the applicant now proposes to clad the building in two tones of red, whereas previously it has been proposed in ceramic colouring. As an over clad the new cladding would sit slightly forward of the existing façade and commence above the re-clad canopy of the first floor, terminating at roof level, with a 150mm deep formed aluminium capping. The red shading now proposed follows discussions with staff and the review of a number of options/colourings suggested. Staff consider the red colouring to better reflect the neighbouring brick façade and better preserve the special character of this part of the Conservation Area. The pattern of cladding, with darker shades towards the bottom and a general vertical formation furthermore in staffs view helps define the building and reduce its bulk and mass.
- 8.17 On balance, staff therefore consider the revised scheme an improvement over the previous application. It is considered the proposal, in general, would improve the overall appearance of the building and in doing so the conservation area, subject to appropriate conditions requiring the submission of material samples to ensure the cladding and colouring are of sufficient quality and representative of that shown on the submitted drawings.

Impact on Amenity

- 8.18 Policy DC61, in addition to that detailed above, states that planning permission will not be granted should development result in an unacceptable amount of overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties.
- 8.19 Staff acknowledge that there are a number of residential properties (flats) in close proximity to the site. Staff however note that this site does form part of the Romford town centre designation, and planning policies seek to promote hotels in such locations. Whilst it is accepted that a hotel use would give rise to different amenity impacts than a retail unit, it is not considered that the use *per se* is so unneighbourly as to warrant refusal on its own. Appropriate conditions, as suggested by the Council's Environmental Health officer, could be imposed, should planning permission be granted, with regard to sound insulation, maximum noise levels from plant and machinery and odour extraction equipment and with these suitably secured it is not considered the impacts from the hotel use would be so significant to warrant refusal.

- 8.20 In terms of overlooking, loss of privacy and the relationship between bedrooms at the rear of the hotel facing out onto Ducking Stool Court, staff note that the four windows where views would be most prominent are proposed with a fixed hardwood timber louvre. In consideration of this, although it is accepted that the use would likely give rise to some overlooking it is not considered that any such impact would severely impact on privacy at a level to be deemed contrary to policy DC61 of the Core Strategy.
- 8.21 With regard to the construction phase of the development, limited details have been provided on how vehicles would access the site during construction and furthermore, in general, how the construction phase would be managed. Although such impacts are not considered sufficient enough to warrant refusal, it is considered that conditions could be imposed, in terms of the requirement for a construction management plan to effectively ensure that the procedures proposed are acceptable and do not adversely impact on the day to living conditions of the occupiers of the adjacent development.

Highway Impact & Car Parking Provision

- 8.22 Although no car parking provision is proposed as part of this application, this site has a PTAL rating of 6a (excellent) with the closest bus stops to the site located approximately 250m (westbound) and 440m (eastbound) from the site on A118 St Edwards Way. Romford rail station is approximately 650m from the site and there are also a number of public car parks open 24 hours a day, seven days a week, in the vicinity of the site.
- 8.23 With regard to above, the applicant, as part of the submitted Transport Assessment, has undertaken a survey of public car parks and demonstrated that sufficient capacity exists to meet the likely demand from the hotel use.
- 8.24 In terms of the specific highway related reasons for refusal previously, the applicant's transport consultant and the Highway Authority agree that the provision of a drop-off facility is not possible on Market Link given the existing extent of the built form and the size of the road and pavement. In respect of this, the applicant's transport consultant has nevertheless sought to review whether the lack of facility will give rise to any highway impacts in terms of safety and efficiency.
- 8.25 Following assessment undertaken it has been suggested that the hotel would result in circa 25 drop-offs and/or collections per day, at full occupation. In respect of this, and road capacity, the applicant has found that the two-way capacity of Market Link is circa 1500 vehicles per hour. In terms of the hotel use, the absolute worst case would be to assume that a vehicle dropping off or collecting would halve the capacity for a short period. Taking a hypothetical scenario where there are 10 drop-offs or collections in an hour, lasting two minutes each, the overall capacity of Market Link would be reduced to 1250 vehicles per hour. During non-market days, Market Place is most active with the area providing a car park for 160 vehicles. Assuming a 45 minute average stay, which is considered relatively short, a total of 400 hourly movements

would result (200 in, 200 out). This is therefore below the theoretical capacity (1250) with the 10 drop-offs or collections in an hour resulting from the hotel use. In fact, even with a stationary vehicle permanently on Market Link, capacity would only reduce to 750 which again is sufficient to support the 400 movements associated with the Market Place car park at peak without significant congestion resulting. Accordingly, whilst a drop-off facility may be considered ideal or necessary by Members, it has been demonstrated by the applicant that the proposed level of drop-offs and collections would not jeopardise the free movement of traffic on Market Link to a level to support a reason for refusal.

- 8.26 Expanding on this, whilst Market Link is subject to part time waiting and loading highway restrictions, the applicant's consultant has sought to confirm that the Highway Code does allow vehicles to stop while passengers board or alight on single yellow lines and single yellow kerb markings.
- 8.27 With regard to manoeuvres, it is expected that the majority of vehicle drop-offs and collections would take place on Market Link where the hotel entrance would be located. On days when the market is not open, Market Place is used as a short stay car park and accordingly it is suggested that after drop-off/collection vehicles would enter Market Place to turn around. On market days when Market Link is in effect a cul-de-sac, vehicles could either after drop-off or collection, turn in the road; or reverse into Ducking Stool Court. Surveys undertaken by the applicant's consultant have confirmed this to be common practice, as existing and it is not considered the level of activity generated from the hotel use would result in significant implications. No reason has however been found why the barrier on Market Link could also not be moved further towards Market Place, on market days, to allow drop-offs and collections right in front of the hotel entrance.
- 8.28 In terms of the servicing arrangements, and the second highway related reason for refusal, it is proposed that servicing vehicles would travel south along Market Link and enter Ducking Stool Court and park in the proposed loading bay. After unloading/loading the vehicle would then reverse back into Market Link and travel north, thus not entering Market Place. Alternatively, vehicles would travel past Ducking Stool Court on arrival and reverse back around the corner into Ducking Stool Court and the loading bay. After unloading/loading, vehicles would depart in forward gear, turning right out of Ducking Stool Court and onto the Ring Road. The proposed operator typically has the following weekly delivery schedule:
- seven linen deliveries / collections, which have a typical duration of 30 minutes;
 - three food deliveries, which have a typical duration of 40 minutes;
 - one beer / wine delivery, which has a typical duration of 45 minutes; and
 - four refuse collections, which have a typical duration of 20 minutes.

- 8.29 Noting the above, the proposed hotel use would likely result in circa 15 service vehicle arrivals and 15 service vehicle departures per week. These would take place between 06:30am and 18:00pm. In terms of the retail unit, the aforementioned would be additional vehicle movements to the approximately seven (14 vehicle movements) associated with deliveries to the retail use.
- 8.30 The Highway Authority, as part of the previous application, reviewed these figures, in context of potential vehicle movements that would result from full retail occupation of the building as existing and accept that the number of vehicle movements associated with a hotel use, when compared to a retail use, is similar. Accordingly, subject to a financial contribution towards local pedestrian dropped kerb improvements and the provision of a loading bay in Ducking Stool Court to facilitate the arrangements propose, it is not considered that the proposed hotel use would give rise to congestion at a level that would be deemed significant in context of paragraph 32 of the NPPF and contrary policy DC32 of the Core Strategy.
- 8.31 Staff, mindful of the previous reason for refusal in terms of pedestrian safety, note that the applicant has also now submitted a draft service management plan which seeks to ensure that servicing would be undertaken efficiently without undue disruption. In this regard additional safety measures including directional reversing warning sounders; CCTV; and the provision of on-site trained banksperson at arrival and departure of a vehicle are all proposed. Such measures, as part of a final management plan could be secured by condition and enforced during the life of the use to ensure that the arrangements do not give rise to undue highway and pedestrian safety concerns and staff have included this as an additional condition to the recommendation.

9.0 Other Considerations

Employment

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

Land Contamination

- 9.2 Given that this site is noted as potentially contaminated, request has been made by the Council's Environmental Health officer that consideration be given to the need for a land contamination assessment. With regard to this, it is noted

that no excavation works would however be necessary to facilitate the proposals and as such it is not considered that a land contamination assessment is necessary as the ground would not be disrupted by the development.

10.0 Conclusion

- 10.1 Planning policies aim to direct hotels towards town centre locations. Both the London Plan and the Core Strategy suggest that such locations are suitable for such development as they support visitor economies, stimulate growth and provide employment opportunities. Town centre locations are also normally highly accessible and therefore allow potential uses/occupants to access the facility via a number of transport methods.
- 10.2 Staff in view of the policy position portrayed in the London Plan and Core Strategy have no principle land-use objection to the provision of a hotel in this location, especially as a retail ground floor use would be maintained. That being said, it is noted that the front façade of the building in question does form part of a conservation area and the building is also close to a number of listed buildings.
- 10.3 With regard to this, and the previous version of this development, the building to which this application relates is not considered of high intrinsic value and it is not considered that it enhances the conservation area. Staff consider that the development proposed by this application an improvement on that submitted previously and more in keeping with the existing appearance of the conservation area. Whilst concerns were previously raised about the third floor extension, and the impact of this on the Conservation Area, staff mindful of the scale of development adjacent and that recently approved, do not consider that the extension would be over-bearing and it is not considered that the development or use would give rise to amenity impacts at a level to warrant refusal.
- 10.4 Whilst no designated car parking provision is proposed, in consideration of the PTAL level, the number of public car parks in the vicinity and the assessments undertaken by the applicant in terms of the existing road capacity it is not considered that the lack of such of a provision and/or a drop-off would result in significant impacts on highway safety or efficiency to be deemed contrary to policy and warrant refusal. Staff are furthermore content that the site can be serviced without undue impact subject to the provision of a loading bay being secured on Ducking Stool Court.
- 10.5 Subject to the imposition of appropriate planning conditions and the completion of the section 106 planning agreement, staff therefore consider that the development, on balance, complies with relevant planning policy and recommend that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks: None

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

Human Resources implications and risks: None

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

BACKGROUND PAPERS

1. Application form, plans and associated documents received 20/01/2017.

REGULATORY SERVICES COMMITTEE

6 April 2017

REPORT

Subject Heading:

**P2048.16: Purbeck House, 230-234
Hornchurch Road, Hornchurch**

Change of use from A2 offices and various extensions to create 9no. residential units, plus reconfiguration of car park to provide parking, communal amenity space, and refuse area. (Application received 22 December 2016)

Ward:

Hylands

Lead Officer:

**Helen Oakerbee
Planning Manager
Stefan Kukula**

Report Author and contact details:

**Principal Development Management
Officer
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Policy context:

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

Financial summary:

None

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

- Havering will be clean and its environment will be cared for [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 change of use from A2 offices and various extensions to create 9no. self-contained residential units, plus the reconfiguration of the rear car park to provide parking, communal amenity space, and refuse area.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 56.3 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £1,126 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 obligations by 6 October 2017 and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £54,000 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.
- Save for the holder of blue badges that the future occupiers of the proposal will be prohibited from purchasing residents or business parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Director of Neighbourhoods 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. Matching Materials

All new external finishes shall be carried out in materials to match those of the existing building(s) and samples of the materials to be used shall be submitted to

and agreed in writing by the Local Planning Authority prior to the commencement of any of the works hereby permitted.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC54.

4. Parking Provision

Before any of the flats hereby permitted are first occupied, the car park to the rear shall be laid out to the full satisfaction of the Local Planning Authority and be made available for 12no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

5. Construction Methodology

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

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

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

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

6. Hours of Construction

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

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

7. Refuse and Recycling

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

Reason:-

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

8. Cycle Storage

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

Reason:-

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

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

9. 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.

10. Boundary Fencing

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC6.

11. Pedestrian Visibility Splay

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

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

12. Balcony Restriction

The remainder of the flat roof area not specifically indicated for use as the balcony/roof terrace hereby permitted on the approved plan 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.

13. Balcony Screening Panel

Prior to occupation of the development hereby permitted a partition screening panel shall be installed on the roof terrace associated with flat 8, adjacent to the boundary with 236 Hornchurch Road in accordance with details previously submitted to and agreed by the Local Planning Authority. Following installation, the screening panel shall remain in place permanently.

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.

14. 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.

15. Lighting

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

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

16. Road Traffic Noise

Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from Hornchurch Road upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: Insufficient information has been supplied with the application to judge the impact of road noise upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of road noise in accordance with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £1,126 (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/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the property at Purbeck House, 230-234 Hornchurch Road, Hornchurch. The site occupies a prominent corner plot on the junction of Hornchurch Road and Purbeck Road, and comprises three commercial units with A2 office uses. A car park area is located to the rear of the site accessed from Purbeck Road.
- 1.2 The site is located within an area of mixed residential and commercial uses, but is not subject to any specific land use designation within the LDF. To the east, the adjacent cluster of commercial properties forms the Hornchurch Road Minor Local Centre.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the change of use from A2 offices and the erection various extensions to create 9no. self-contained residential units.
- 2.2 The proposed flats would be arranged over the ground and first floors of the building and would comprise 4no. one-bedroom units, 4no. two-bedroom units and 1no. three bedroom unit.

- 2.3 The proposed two storey rear extension will project 3.3 metres from the main rear elevation extending the flank of the building along Purbeck Road. This section of the extension would incorporate a hipped roof design and will continue the eaves and roof profile of the existing building.
- 2.4 A first floor rear extension would project approximately 3 metres over an existing flat roof single storey section to the rear of No.s 232 & 234. The remainder of the flat roof area would be partitioned and utilised as separate private outdoor terrace areas for two of the proposed first floor flats.
- 2.5 The existing dormer to the rear of No.232 would be renovated and an additional flat roof dormer will be constructed on the adjacent roof elevation at No.234, serving the proposed flats in the converted attic space.
- 2.6 The existing rear car park and servicing area would be reconfigured, with the demolition of a rear detached garage structure, and set out to provide 12no. off-street car parking spaces, and a refuse area. An area of shared amenity space would be provided in the north western corner of the site adjacent to the car park comprising approximately 36 square metres. Each of the ground floor flats would be served by private terrace areas of varying sizes.

3. Relevant History

- 3.1 P1540.13 - Proposal for change of use of existing A2 Office Use Class to C3 Residential Use Class, by internal reconfiguration of existing accommodation, the addition of first floor over part of ground floor at rear, and a two storey extension along Purbeck Road, to provide nine flats over two storeys. Reconfiguration of existing car park to provide communal amenity space, parking and refuse area - Approved, 30 March 2015
- 3.2 P0422.13 - Extension of accommodation by the addition of first floor - Refused, 16 September 2013

4. Consultations/Representations

- 4.1 Notification letters were sent to 39 properties and no representations have been received.
- 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 condition relating to a road noise assessment.
- Local Highway Authority - no objection, recommended conditions in relation to pedestrian visibility splays and vehicle cleansing.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, Designing Safer Places SPD, 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), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses and the suitability of the proposed parking, access and servicing arrangements.
- 6.2 It should be noted that planning permission P1540.13 was granted for a similar proposal in March 2015. The main difference in comparison to the previous scheme is that the unit at No.236 has been omitted from the site area for the current application. This has resulted in changes to the internal layout of the flats as well as the car park, refuse store and communal amenity area. The proposed rear extensions would be similar in terms of design, scale, height, bulk and massing. Staff acknowledge that the 2015 planning permission is a material consideration and offers a fall-back position for the development at the site.

Principle of Development

- 6.3 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 6.4 The proposal is for the redevelopment of a commercial site to provide residential accommodation in a location which is not designated as an employment area within the Development Plan. This is in accordance with Policy DC11, which states amongst other things, that outside of the designated employment areas the Council will support the redevelopment of commercial sites for housing when they become available for development.
- 6.5 Therefore the proposed change of use is considered to be acceptable in principle in land use terms, subject to detailed design, layout and highways considerations.

Density/ Layout

- 6.6 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.
- 6.7 The proposal would provide 9no. residential units at a density equivalent to approximately 100 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a dwelling density of between 50 to 110 dwellings per hectare would be appropriate in this location.
- 6.8 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set 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.
- 6.9 The proposed flatted block would provide 9no. 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 generally 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 technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.10 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All

dwellings should have access to amenity space that is not overlooked from the public realm.

- 6.11 Terrace areas, ranging between approximately 20 to 40 square metres, would serve each of the ground floor units. It is acknowledged that the terraces located to the front on Hornchurch Road would have limited privacy. However, the amenity areas would include hedging and fencing offering an extra degree of privacy and security.
- 6.12 Two of the rear units would be set out over two levels and at first floor would also benefit from private roof terrace areas of approximately 15 square metres.
- 6.13 The remaining four flats at first floor level and within the attic space would not benefit from private amenity space associated with the apartment. However, an area of approximately 36 square metres to the west of the car park would be set out as a shared amenity area, giving occupants of the flats access to some outdoor amenity space.
- 6.14 It is considered that the proposed amenity space would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants. All of the proposed dwellings would have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with policy DC61.

Design/Impact on Streetscene

- 6.15 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.16 The application site occupies a prominent location on the junction of Hornchurch Road and Purbeck Road.
- 6.17 Minor alterations to domesticate the appearance of the front elevations of the existing ground floor commercial units and the addition of external amenity space and planting would serve to soften the building frontage. It is considered that these measures would improve the visual appearance of the building and enhance the character and appearance of this section of Hornchurch Road.
- 6.18 The proposed two storey rear extension will project 3.3 metres from the main rear elevation extending the flank of the building along Purbeck Road. The extension would incorporate a hipped roof design and would continue the eaves and roof profile of the existing building, allowing the development to harmonise well with its surroundings and within the streetscene. Given the projection and the matching design features the rear extension would form a relatively subordinate addition to the building in terms of its scale and would serve to maintain the character and appearance of the street scene.

- 6.19 The proposed first floor extension and roof terrace areas would be set back within the existing bulk and mass of the building. The existing flank elevation to Purbeck Road and the proposed two storey extension would allow for some screening of the first floor extension and terraces from Purbeck Road. Overall this section of the development would form a minimal impact on the streetscene and would maintain the character of the surrounding area.
- 6.20 The proposed rear dormer would match the size, scale and appearance of the adjacent existing dormer. The dormer height would be set below the main roof ridge height, with tiling visible to the sides and above the eaves minimising the visual dominance of the structure. As such it would not be visible from Hornchurch Road. It is not considered that the dormer would create any undue impact on the character and appearance of the street scene.
- 6.21 Overall, it is not considered that the combination of extensions and alterations to the building would contribute positively to the appearance of the streetscene and the adjoining terrace, and as such would serve to maintain and enhance the character of the local area in accordance with Policy DC61.

Impact on Amenity

- 6.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.23 The main consideration in terms of residential amenity relates to the impact on the occupants of 1a Purbeck Road, located to the north of the site and the adjacent the first floor flat at 236a Hornchurch Road.
- 6.24 The first floor extension would project 3 metres along the boundary with No.236a, and would lie some 0.85 metres from the main rear window. Whilst it is acknowledged that the extension would appear prominent for the occupants of this adjacent first floor flat, it is not considered to an overbearing extent on which a refusal could be based. It should also be noted that the extension replicates the first floor extension approved under planning permission P1540.13.
- 6.25 Given the southern facing orientation of the building, the rear of the elevation does not benefit from direct sunlight and ultimately the extension would not cause overshadowing or a significant loss of light.

- 6.26 A screen would also be installed along the boundary with the roof terrace to mitigate any privacy issues. The installation of this feature will be required via condition prior to occupation of the flat.
- 6.27 The proposed two storey extension would project to within approximately 18 metres from the side elevation of No.1a Purbeck Road. The side elevation of No.1a includes two upper floor windows one of which is obscure glazed and the other a mid-level landing area - neither of which serve a habitable room. The windows at ground floor level in the side elevation of 1a Purbeck Road include a small single pane obscure glazed window and a secondary window to the habitable room in the rear section of the house.
- 6.28 The ground level between the application site and No.1a Purbeck Road increases slightly in gradient and it is considered that the 18 metre distance between the proposed development and the rear garden of the existing dwelling would be sufficient to maintain suitable standards of privacy and outlook for the occupants of both the existing house and those in the proposed flats.
- 6.29 The proposed rear windows of the first floor rear extension and rear dormers and the rear roof terraces would not result in a materially greater level of overlooking than currently experienced.
- 6.30 On balance, it is considered that the proposed extensions 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 and the intentions of the NPPF.

Environmental Issues

- 6.31 Environmental Health have raised no objections in relation to any historical contaminated land issues.
- 6.32 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 6.33 The proposal is not considered to give rise to any significant noise issues that would not normally be associated with residential or commercial occupation.

Parking and Highway Issues

- 6.34 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 1, meaning that the site offers a poor degree of access to surrounding public transport.

- 6.35 The scheme can demonstrate off street car parking provision for 12no. car parking spaces for 12no. flats, at a ratio of 1.3 spaces per unit, through the reconfigured layout of the existing car park at the rear of the site. At present the car park is used on a short term informal basis by the adjacent mechanics garage, located on the opposite side of the Purbeck Road junction, mainly to store scrapped and off the road vehicles.
- 6.36 The parking provision and highways implications were also assessed under planning permission P1540.13, and a ratio of 12no. parking spaces for 9no. residential units was previously judged to be acceptable. The current application proposes the same parking ratio in a similar arrangement to the previously approved car parking proposals. As such, it should be noted that planning permission P1540.13 offers a fall-back position on a 9no. unit scheme with 12no. parking spaces.
- 6.37 There are currently on-street parking restrictions around the junction of Purbeck Road and Hornchurch Road, as well as two 'disc parking only' permit spaces set out immediately adjacent to the flank of the building. Further along Purbeck Road, beyond the application site boundary, on-street car parking is unrestricted. The Local Highway Authority have raised no objection to the proposed car parking provision and servicing and access arrangements from Purbeck Road. Future occupiers of the proposed flats will be prohibited from purchasing residents or business parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme through the S106 agreement.
- 6.38 A communal refuse store would be set out in the rear car park adjacent to Purbeck Road and therefore within the distance reasonably expected for refuse collection operatives to walk to collect waste.
- 6.39 No details of secure cycle storage have been provided, but this will be secure via condition.

Mayoral Community Infrastructure Levy

- 6.40 The proposed development will create 9no. residential units with 56.3 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £1,126 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.41 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.

- 6.42 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.
- 6.43 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.
- 6.44 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.
- 6.45 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.
- 6.46 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.
- 6.47 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 unit 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.

6.48 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 £54,000 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 neighbouring residents. On balance 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 Section 106 legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form received on 22 December 2016, and amended drawings received 24 February 2017.

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REGULATORY SERVICES COMMITTEE

REPORT

6 April 2017

Subject Heading:

P1513.16 - Newstead House, Troopers Drive, Romford

The development involves the conversion, adaption and extension of a vacant care home into 28 no. self-contained residential units (C2 to C3). (Received 03/11/16, revision received 03/01/17 and 03/02/17).

Ward:

Gooshays

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The report considers an application for the conversion of the former Newstead House Residential Care Home into 28 no. residential units. The proposal will also involve extensions to increase the height to the north elevation of the existing building.

The proposal raises considerations in relation to the loss of a care home, impact on the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents and the suitability of the proposed parking.

Staff consider that, subject conditions on the planning permission the proposal is acceptable and it is recommended that planning permission is granted subject to conditions and completion of an agreement under s106 of the Town and Country Planning Act 1990 to secure planning obligations.

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 based on an internal gross floor area of 423m² amounts to £8,460.

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 obligations by 6 October 2017 and [in the event that the s106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:](#)

- A financial contribution of £168,000 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 Director of Neighbourhoods be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. Parking Provision

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

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

4. External Materials

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.

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

10. 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.

11. Pedestrian Visibility Splay

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

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

12. Vehicle Access

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

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

13. Vehicle Cleansing

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

The submission will provide;

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

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

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

15. Noise and vibration

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

16. Lighting

Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, 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.

17. Car Parking Management Strategy

The development hereby permitted shall not be occupied until details to show the car parking management strategy has been submitted to the Local Planning Authority for approval in writing. The details shall include the details of measures to be used to manage the car parking areas and the allocation of spaces. The car parking management strategy shall be provided in accordance with the approved details prior to the first occupation of any dwelling. Such facilities shall be

permanently retained thereafter for use by residents for the lifetime of the development.

Reason: In the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

18. 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.

19. 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

20. Surface water storage

No works shall take place in relation to any of the development hereby approved until details of surface water attenuation/storage are submitted to and approved in writing by the Local Planning Authority. Surface water attenuation/storage shall be provided in accordance with the approved details.

Reason: Surface water attenuation/storage works are required on site to prevent the 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.

21. Secure by Design

Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated across the external areas of the development. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers (DOCOs), the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF

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 parking provision and a reduction in the amount of units proposed. The amendments were subsequently submitted on 3 January 2017 and on 03 February 2017.
3. 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.
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
5. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and

Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

7. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
8. 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 three-storey building, which was previously in use as a residential care home. The site is located on the south junction of North Hill Drive and Whitchurch Road. The site takes access off Troopers Drive, with a hardsurfaced parking area provided to this side of the building.
- 1.2 The surrounding area is characterised by predominantly 2-storey residential properties. The levels of the site significantly fall towards the south, with a slight slope towards the east.

2. Description of Proposal

- 2.1. The report considers an application for the conversion of the former Newstead House Residential Care Home into 28 no. residential units. The proposal will provide a mix of 10 No. 1-bedroom and 18 No. 2-bedroom units.
- 2.2 The proposal will adopt a contemporary design, sympathetic to the host building. The existing building is broken down into multiple blocks all

with individual, though similarly designed roofs. The complex forms are held together with consistent materials and detailing: low pitched overhanging roofs, red brickwork and apex shaped bay windows. The proposed extensions will reproduce this character. The existing triangular bay motif will be reproduced to form covered balconies which will result in a harmonious connection between the new and existing and will further mitigate the scale of the building. Apart from the addition of balconies, changes to the fenestration and slight design additions to the roof form, the elevations will be similar to that of the existing dwelling.

- 6.4.3 The scale and massing of the new extension will seek to emulate the existing massing and also engages with the specific site context, which is that a large proportion of the building is 'sunk down' into the site. Furthermore the two main roads North Hill Drive and Whitchurch Road meet at the highest point of the subject site and this lends itself to an increase in height at this point without having an unacceptable visual impact when viewed from the streetscene and neighbouring properties.
- 6.5.4 The proposed additions on the northern side of the development will result in this part of the development to be transformed from the existing single and two storey elements to a 3-storey development.
- 2.4 The proposal will retain the existing access of Troopers Drive and proposes a second access in the south-eastern corner off Troopers Drive, adjacent to Joyes Close. The proposal will be able to accommodate 42 parking spaces.

3. Relevant History

- 3.1 P0227.05 - Variation of condition 8 of planning permissions P2136.86 and P2136.86A relating to age of occupants - Refused and Approved on Appeal
- 3.2 P2136.86A - 2/3 storey homes for the elderly (revised scheme) - Approved

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 102 properties and 22 letters of objection were received raising the following concerns:
- Overlooking
 - Will affect the price of the surrounding homes
 - Not enough parking spaces for flats and visitors
 - Increased amount of traffic
 - Noise and disturbance as a result of the proposed parking area to the south of the subject site
 - Creation of new access will cause accidents
 - Will be problems with construction traffic
 - Noise pollution as a result of building works
 - Additional strain on services
 - Blocking views from house
 - Will be difficult for emergency vehicle to access due to excess vehicles in the area.

- Development is too large and not in keeping with the surroundings
- Drainage concerns

4.2 The following consultation responses have been received:

- The London Fire Brigade - stated that there should be access for a pump appliance to within 45m of all points in all dwellings.
- Highways - no objection as the original scheme was amended to reduce the amount of units and increase the parking provision.
- Secure by Design Officer - suggested a secure by design condition.
- Thames Water - no objection
- Essex and Suffolk Water - no objection
- Environmental Health raised no objection provided that a condition is added for new plant or machinery and transmission of noise.

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC6 (Affordable Housing), 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), 3.11 (affordable housing targets), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 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 issues to be considered by Members in this case are the principle of development, impact upon the character and appearance of the street scene and surrounding area, impact upon neighbouring occupiers and highway/parking issues.

6.2 *Principle of development*

6.2.1 Policy DC27 requires justification for the loss of a community facility

6.2.2 The applicant has stated that the Council's Social Services Department decided to withdraw the former Residential Care Home from the Care Commissions Register and changed the commissioning arrangements as part of a strategy that excluded Newstead House being re-used for its former purpose. The property failed to attract any interest from the care sector when it was marketed. There is currently a sufficient supply of Care Homes within Havering and Staff therefore consider the change of use to be acceptable in principle.

6.3 *Density Layout*

6.3.1 The proposal would provide 28 no. residential flats at a density equivalent to approximately 100 dwellings per hectare. Although this is in excess of Policy DC2 which states that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this location, it is noted that the proposal is a change of use of an existing building rather than the erection of a brand new building. Furthermore, density is only one benchmark of the scheme's acceptability.

6.3.2 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 prescribed minimum internal space standards.

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

6.3.4 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.

6.3.5 The proposal is for the conversion of an existing building and is therefore limited in the amount of amenity space that it can provide and has to utilise existing garden areas for this purpose. The proposal will utilise the existing garden areas to the south and north of the building for the provision of 3 no. of communal amenity areas measuring 177m², 180m² and 115m² respectively. Staff do acknowledge that the amenity areas will border roads, however the applicant has proposed landscaping and fencing that would protect the amount of amenity afforded to future occupiers. The proposal would also introduce balconies and private terraces for the upper floor units. The amenity space provision is considered to be acceptable for the future occupiers.

6.4 *Design/Impact on Streetscene*

6.4.1 Policy DC61 of the LDF Development Plan Document 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 of the DPD 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 site is surrounded by roads on 3 sides and therefore is very visible in the streetscene. The proposal will adopt a contemporary design which is considered to be sympathetic to the host building. The existing building is broken down into multiple blocks all with individual, though similarly designed roofs. The complex forms are held together with consistent materials and detailing: low pitched overhanging roofs, red brickwork and apex shaped bay windows. The proposed extensions will reproduce this character. The existing triangular bay motif will be reproduced to form covered balconies which will result in a harmonious connection between the new and existing and will further mitigate the scale of the building.
- 6.4.3 The scale and massing of the new extension will seek to emulate the existing massing and also engages with the specific site context, which is that a large proportion of the building is 'sunk down' into the site. Furthermore the two main roads North Hill Drive and Whitchurch Road meet at the highest point of the subject site and this lends itself to an increase in height at this point without having an unacceptable visual impact when viewed from the streetscene and neighbouring properties.
- 6.4.4 In summary, Officers consider the proposed additions satisfactorily relate to the existing building and will not result in an unacceptable impact on the streetscene given the design approach and significant level changes on the subject site.

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 Staff do not consider the proposal to have an unacceptable impact on neighbouring residential occupiers situated to the south, along Joyes Close. Although the proposal will introduce balconies at first and second floors it will be to the outside of existing fenestration and is considered to have a negligible impact on neighbouring amenity given a distance of 24m to the nearest residential property. The properties to the south are situated at a much higher ground level than that of the subject building. The different height levels together with dense vegetation to this boundary will further mitigate any potential overlooking. No extensions are proposed to this side of the existing building and the outlook from neighbours would therefore remain the same.
- 6.5.3 Any potential impact on the properties situated to the east, on the eastern side of Troopers Drive, is considered acceptable as it would be to the front

of these properties with a separation distance of 18 metres to the nearest dwelling. No extensions are proposed to this side of the existing building and the outlook from neighbours would therefore remain the same.

- 6.5.4 Any potential impact on the properties situated to the west, on the western side of North Hill Drive, is considered acceptable as it would be to the front of these properties, with the exception of No. 121 North Hill Drive, with a separation distance of 34 metres to the nearest dwelling. The proposal will addition to the northern side of the subject site will be situated approximately 35m from the rear garden of No. 121 North Hill Drive. Given the separation distances, dense vegetation and the elevated level of North Hill Drive in relation to the application site, Officers consider any potential impact on overlooking and outlook to be acceptable.
- 6.5.5 Staff do not consider the proposal to have an unacceptable impact on neighbouring residential occupiers situated to the north, on the northern side of Whitchurch Road. Although the proposal will introduce an increase in height as a result of the additions to this part of the subject building, any potential impact would be mitigated by a separation distance of 34m to the nearest residential dwelling as well as a significant increase in land level from the subject site to the nearest residential dwelling. Any potential impact in terms of outlook would also be mitigated by the severe difference in ground levels.
- 6.5.6 Any impact in terms of additional noise and disturbance as a result of vehicles coming and going is deemed acceptable given the nature of the use, location of the existing and proposed accesses and the distance from neighbouring residential uses.

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 of 2 and requires 1.5-2 parking spaces per unit for a development of this type. The development would provide a total of 42 parking spaces, at a ratio of 1.5 spaces per flat. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the 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 in terms of parking provision, new access arrangements as well as impact on the surrounding streets.

6.7 *Mayoral Community Infrastructure Levy*

- 6.7.1 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 based on an internal gross floor area of 423m² amounts to £8,460.

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 £168,000 for educational purposes would be appropriate.

6.9 Affordable Housing

6.9.1 In terms of affordable housing the aim is to achieve 50% across the borough in accordance with LDF policies CP2 and DC6. The requirement on site would therefore be 14 units. LDF Policy DC6 seeks the maximum reasonable amount of contribution taking account of viability amongst a range of factors. This is supported by Policy 3.12 of the London Plan which states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual schemes; however, negotiations should also take into account individual site circumstances, including viability.

6.9.2 The applicant has submitted a viability appraisal with the application that seeks to demonstrate that the development would not be able to support any affordable housing. The valuation has been independently appraised and that appraisal concluded that the proposal would be unable to provide affordable housing as it would be unviable.

6.10 *Other*

6.10.1 A condition will be added requesting refuse and recycling and cycle storage details to be submitted prior to commencement of development in the event of an approval.

6.10.2 The applicant has submitted an Urban Drainage Strategy which includes mitigation measures for water runoff and a maintenance and management plan. Officers consider the Urban Drainage Strategy to be acceptable and it will address neighbouring concerns raised.

6.10.3 A construction hours condition will be added in the event of an approval to address neighbouring concerns relating to construction noise.

6.10.4 The developer is required to make a contribution to educational spaces in order to address the need for school places and address the concerns raised relating to additional strain on services. Additional impact on community facilities is not considered sufficient to refuse the application.

6.10.5 Staff is satisfied that emergency vehicles will be able to access the site, however these requirements will also be addressed through building regulations

6.10.6 Neighbouring concerns raised regarding the impact on property value is not a material planning consideration.

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 section 106 legal agreement being completed.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

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

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 03 November 2016, revision received on 03 January 2017, 03 February 2017.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

6 April 2017

Subject Heading:

P1474.13 - White Bungalow, Southend Arterial Road, Upminster - Demolition of existing bungalow and erection of 1 no. single storey dwelling (received 29/11/13)

Lead Officer:

Helen Oakerbee - Planning Manager Applications

Report Author and contact details:

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Ward

Emerson Park

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 application seeks planning permission for the demolition of an existing bungalow and the erection of 1 No. single storey dwelling.

This application was previously considered by Committee on 7 March 2014, when it was resolved that it be delegated to the Head of Regulatory Services to grant planning permission contrary to recommendation subject to the completion of a legal agreement to revoke without compensation the previous permission (P1079.11), payment of the Council's Legal fees for the agreement and Planning Obligation Monitoring Fee and subject to conditions based on those attached to the previous permission and any other conditions considered necessary by Head of Regulatory Services including requirement for a domestic sprinkler system.

Planning permission P1079.11 for the demolition of the existing bungalow and the erection of 1 no. single storey dwelling expired on 20th December 2016. Therefore, this application is brought back to committee to amend the resolution and determine this planning application without the need for a Section 106 Legal Agreement to revoke planning permission P1079.11.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £3,220.00, subject to indexation. This is based on the creation of 161 square metres of new gross internal floor space.

That planning permission be granted subject to the conditions set out below.

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

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

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

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

3. Materials - 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. Curtilage - The residential curtilage of the new dwelling shall solely comprise of the whole width of the plot from its boundary with the Southend Arterial Road to a depth of 15 metres taken from the recessed rear façade of the dwelling hereby approved.

Reason: To protect the open nature of the Green Belt from residential incursion.

5. Demolition of outbuildings - Prior to the commencement of the development, the existing bungalow and all outbuildings shall be demolished in their entirety and all material arising there from permanently removed from the site. Prior to first occupation, the site shall be reinstated in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and openness of the Metropolitan Green Belt and of amenity.

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the surfacing materials. Submission of this detail prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Vehicle access - Prior to the commencement of the development, the design of the vehicular access to the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The access shall provide satisfactory visibility splays, allowing for safe access from and egress on to Southend Arterial Road. The access and sight splays shall be provided prior to the first occupation of the dwelling and thereafter permanently retained and maintained.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the vehicle access. Submission of this detail prior to commencement will ensure good design and ensure public safety and comply

with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

8. Road traffic noise - Prior to the commencement of development, an assessment shall be undertaken of the impact of the road noise emanating from Southend Arterial Road upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, Calculation of Road Traffic Noise, 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: Insufficient information has been supplied with the application to judge road traffic noise. Submission of this detail prior to commencement will protect future residents against the impact of road noise in accordance with Department of Environments, Planning Policy Guidance Note 24, Planning and Noise.

9. Contaminated land - (1) Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;
 - a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
 - b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
 - c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for

contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to assess the contaminated land on the site. Submission of this detail prior to commencement will protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

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

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

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

11. 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)

b) The air quality assessment shall include a prediction of future air quality without the development in place (future baseline).

c) The air quality assessment shall predict air quality with the development in place (with development).

d) 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 the leaflets titled, 'EPUK Guidance Development Control: Planning for Air Quality (2010 update), EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: Insufficient information has been supplied with the application to assess the air quality. Submission of this detail prior to commencement will protect public health, those engaged in construction and occupation of the development from potential effects of poor air quality.

12. Domestic sprinklers - Prior to the first occupation of the development hereby permitted, a domestic sprinkler system shall be installed and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety.

13. Protected species - Prior to the commencement of any works pursuant to this permission, a desktop study to verify if there are any protected species on the site shall be submitted to and approved in writing by the Local Planning Authority. If protected species are found on site, the desktop study shall be accompanied by a mitigation strategy, which shall also be approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the mitigation strategy.

Reason: Insufficient information has been supplied with the application to assess protected species on the site. Submission of this detail prior to commencement of any works will protect biodiversity and geodiversity on the site and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC16.

14. Removal of permitted development rights - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Article 3, Schedule 2, Part 1, no development and hardstanding under Classes A, B, C, D and E and no fences and boundary treatments under Part 2, Class A 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. Refuse – 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.

16. 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.

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

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

18. 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.

19. 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.

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

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

21. 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 the planting of native species on all perimeters of the application site to supplement the existing screening on the site boundaries, 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.

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 £3,220.00. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.

3. 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.
4. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:
<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>
5. Transport for London - The footway and carriageway on Southend Arterial Road must not be blocked during construction. Temporary obstructions must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on this road. No skips or construction materials should be kept on the footway or carriageway of this road at any time, and vehicles associated with construction must only stop and park at permitted locations and within the time periods permitted by existing on-street restrictions.

REPORT DETAIL

1. **Background**
 - 1.1 This application was previously considered by Committee on 7 March 2014, when it was resolved that it be delegated to the Head of Regulatory Services to grant planning permission contrary to recommendation subject to the completion of a legal agreement to revoke without compensation the previous permission (P1079.11), payment of the Council's Legal fees for the agreement and Planning Obligation Monitoring Fee and subject to conditions based on those attached to the previous permission and any other conditions considered necessary by Head of Regulatory Services including requirement for a domestic sprinkler system.
 - 1.2 Planning permission P1079.11 for the demolition of the existing bungalow and the erection of 1 no. single storey dwelling expired on 20th December 2016. Therefore, this application is brought back to committee to amend the resolution and determine this planning application without the need for a Section 106 Legal Agreement to revoke planning permission P1079.11.

1.3 The report presented to the Committee on 7 March 2014 is appended. The legal agreement was needed to prevent a dwelling being built on another part of the site.

2. Site Description:

2.1 The site is roughly rectangular in shape, measures approximately 30m wide by 100m maximum depth and is located on the northern side of the Southend Arterial Road, west of its junction with the M25.

2.2 A number of derelict outbuildings are located on the site, which is bounded by open fields to the north, east and west. The site forms part of the Metropolitan Green Belt.

2.3 Vehicular access to the site in its current form is achieved via a dropped kerb from Southend Arterial Road.

3. Description of development:

3.1 The application seeks planning permission for the demolition of an existing bungalow and the erection of 1 No. single storey dwelling. The proposed replacement bungalow measures 20m wide by 8.9m deep by 6.2m high. The bungalow is proposed to be set approximately 49m due north of the back edge of the footway, with access obtained via a driveway.

4. Relevant History:

4.1 P1079.11 – Demolition of existing bungalow and erection of 1 No. single storey dwelling – Approved.

P0404.11 - Extension of time limit on application P0239.08, renewal of P1296.99 and P2206.04 – replacement bungalow – Approved.

P0239.08 – Replacement bungalow, renewal of permission P1296.99 and P2206.04 – Approved.

P2206.04 – Variation of condition 1 of planning permission P1296.99 to permit erection of bungalow after 23.12.04 – Extension of time limit – Approved.

P1296.99 – Replacement bungalow – Approved.

P1417.95 – Part demolish and extend bungalow – Approved.

P0430.93 – Demolish existing bungalow and construct new bungalow – Refused and dismissed on appeal.

5. Consultations/Representations:

5.1 The application has been advertised in a local newspaper and by way of a site notice as a departure from Green Belt policies. Ten neighbouring occupiers

were notified of the planning application. One letter of objection was received with detailed comments that have been summarised as follows:

- The scale and location of the proposed dwelling would have an unacceptably adverse impact on the open nature of the Green Belt and would be contrary to Policy.

- 5.2 Environmental Health – Recommend conditions if minded to grant planning permission.
- 5.3 Transport for London has no objection to the proposed development.
- 5.4 London Fire and Emergency Planning Authority – Access should comply with Section 11 of ADB volume 1. A pump appliance should be able to approach to within 45m of all points within the dwelling. Any roadway should be a minimum of 3.7m between kerbs and be capable of supporting a vehicle of 14 tonnes. Turning facilities should be provided in any access road which is more than 20m in length. This Authority strongly recommends that sprinklers are considered for this development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life.

6. Staff Comments:

- 6.1 The main issues in this case are considered to be whether the development is acceptable in principle and, if not, whether there are very special circumstances sufficient to justify the development, the impact upon the character and appearance of the Green Belt, the impact on the streetscene, impact on local amenity and parking and highways issues.
- 6.2 Planning permission was granted on 20th December 2013 for a two bedroom replacement dwelling on the site under planning application P1079.11, which would have been set approximately 49m due north of the back edge of the footway, with access obtained via a driveway. This permission has now lapsed. This application seeks consent for a larger three bedroom dwelling on the site.
- 6.3 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP14 (Green Belt), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC3 (Housing Design and Layout), DC32 (The road network), DC33 (Car Parking), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Residential Design Supplementary Design Guidance, the Landscaping Supplementary Planning Document, the Planning Obligations Supplementary Planning Document, Protecting and Enhancing the Borough's Biodiversity Supplementary Planning Document and Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to

emergency), 7.16 (Green Belt), 7.19 (Biodiversity and Access to Nature), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The DCLG Technical Housing Standards document is relevant. Chapters 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 9 (Protecting Green Belt land) and 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework are relevant.

6.4 Background

6.4.1 Planning permission was originally granted to part demolish and extend the existing bungalow in 1995, although this was not implemented. A replacement bungalow was approved in 1999. Planning permission was subsequently granted for extension of time applications for a replacement bungalow in 2004, 2008 and 2011. Planning application, P0404.11, sought permission for a replacement bungalow which was set further away from the road, 31m due north of the back edge of the footway, which was approved. Planning application P1079.11, sought permission for a replacement bungalow which was set approximately 49m due north of the back edge of the footway with access obtained via a driveway, which was approved subject to conditions and a Section 106 Agreement that revoked the previous planning approval for application P0404.11 without compensation. P1079.11 has now lapsed.

6.5 Principle of Development

6.5.1 The proposed construction of a residential dwelling represents inappropriate development in a Green Belt location contrary to national and local planning policies. However, this application was previously considered by Committee on 7 March 2014, when it was resolved that it be delegated to the Head of Regulatory Services to grant planning permission contrary to recommendation subject to the completion of a legal agreement to revoke without compensation the previous permission.

6.6 Impact on the character and appearance of the Green Belt

6.6.1 Members resolved to grant planning permission for this application and took into account the following factors: The resultant building was not a disproportionate increase in comparison with the extant approval. The building reflected the size necessary to achieve a decent standard of conventional modern family occupation. The proposal significantly enhanced the site's impact in the streetscene, which is a main thoroughfare into the Borough. Due to the topography, the proposal had limited impact on visual amenity and character. The proposed development could be further screened by the imposition of a landscaping condition. Overall, Members judged that the proposal would not be materially harmful to the Metropolitan Green Belt.

6.7 Site Layout

6.7.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens,

courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses. Amenity space provision for the dwelling accords with the Supplementary Planning Guidance on Residential Amenity Space.

6.8 Design/impact on street/Garden scene

6.8.1 It is considered that the dwelling would not be harmful to the streetscene, as it would be set back 49 metres from the Southend Arterial Road and is single storey. Furthermore, there is a change in ground levels across the site and the dwelling would not be directly visible from the open fields adjoining the site to the west, north and east including the footpath near Pages Wood. In addition, there is extensive landscaping that surrounds the site, including a copse to the rear of the site, which provides screening and would help to mitigate the impact of the proposal. A landscaping condition is recommended to include the planting of native species on all perimeters of the application site to supplement the existing screening on the site boundaries.

6.9 Impact on amenity

6.9.1 As the site is bounded by open fields to the north, east and west, it is not considered that it would appear unduly overbearing or dominant or give rise to an unacceptable loss of privacy or amenity.

7. Highway/parking issues

7.1 The application site is located within PTAL Zone 1-2, where 2-1.5 parking spaces are required for each property. The dwelling would benefit from a minimum of 3 car parking spaces, therefore no objection is raised in this regard.

7.2 Vehicular access to and from the site would be obtained directly from the Southend Arterial Road, which is a very busy major route through the Borough. Given that the site has an existing vehicular access, an objection in principle to the vehicular access would be difficult to substantiate. However, a condition requiring the provision of visibility splays is recommended to ensure safe access and egress from the site.

7.3 The Fire Brigade objected to the proposals as the proposed driveway is not suitable for a Brigade appliance, therefore access is calculated from the public highway, the distance to the furthest part of the proposed building is in excess of the prescribed 45 metres. The Fire Brigade confirmed that the provision of domestic sprinklers to the proposed dwelling would be an acceptable solution to the extended access distance. The installation of a domestic sprinkler system can be achieved by condition.

8. Other issues - Site of Nature Conservation Importance

8.1 The site is located in the Green Belt and within the Ingrebourne Valley Metropolitan Site of Importance for Nature Conservation. Policies DC58 and DC59 state that biodiversity and geodiversity will be protected and enhanced throughout the borough by protecting and enhancing Sites of Special Scientific Interest, and all sites of metropolitan, borough or local importance for nature conservation as identified in Protecting & Enhancing the Borough's Biodiversity SPD. Planning permission for development that adversely affects any of these sites will not be granted unless the economic or social benefits of the proposals clearly outweigh the nature conservation importance of the site and only then if adequate mitigation can be provided and no alternative site is available.

8.2 It is noted that all previous planning applications, P1079.11, P0404.11, P0239.08, P2206.04, P1296.99 and P1417.95 were granted planning permission without an upfront desktop study to verify if there were any protected species on the site. Therefore, it is considered difficult to justify a refusal in the absence of an upfront desktop study. Given that planning permission has been granted for a dwelling, which is similar in terms of siting to the proposal, it is Staff's view that a larger dwelling would not be materially more harmful to Ingrebourne Valley. Nonetheless, for completeness, a condition can still be imposed requesting a desktop study to verify if there are any protected species on the site prior to the commencement of the development.

9. **The Mayor's Community Infrastructure Levy**

9.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The CIL payment is applicable as the proposal is for a dwelling. According to the CIL form, the new dwelling would have a floor space of 161 square metres. On this basis, the CIL liability equals $161 \times 20 = \text{£}3,220$. (subject to indexation).

10. **Planning Obligations**

10.1 The proposal is a replacement dwelling and as such, a financial contribution is not required.

11. **The Case for Very Special Circumstances**

11.1 A statement of very special circumstances has been submitted in support of the application, which Members took into account when resolving to grant planning permission for this proposal.

- The proposal would be a sustainable form of development and incorporate various energy saving methods compared with the existing building.
- The proposed dwelling would be attractive, well-proportioned and including good quality external materials. It would be more attractive than the existing dwelling.

- Taking landscape and architectural together, the overall composition would be well considered and provide balance of built and natural features that would appear appropriate in this green belt location.
- This layout and position of the proposed dwelling would not cause any adverse impact on neighbours living conditions.
- All landscaping will be designed to maximise biodiversity.
- The proposal removes an existing dwelling and outbuildings allowing the construction of a replacement dwelling to meet the needs of a modern family.
- The removal of dilapidated structures that currently have an intrusive impact on the visual amenity of the area.

12. Conclusion

- 12.1 The proposed construction of a residential dwelling represents inappropriate development in a Green Belt location contrary to national and local planning policies. However, this application was previously considered by Committee on 7 March 2014, when it was resolved that it be delegated to the Head of Regulatory Services to grant planning permission contrary to recommendation subject to the completion of a legal agreement to revoke without compensation the previous permission.
- 12.2 Planning application P1079.11 for the demolition of the existing bungalow and the erection of 1 no. single storey dwelling expired on 20th December 2016. Therefore, this application is brought back to committee to amend the resolution and determine this planning application without the need for a Section 106 Legal Agreement to revoke planning permission P1079.11.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 29/11/2013.

REGULATORY SERVICES COMMITTEE

6 April 2017

REPORT

Subject Heading:

**P1860.16: 6 Eastern Avenue East,
Romford**

**Demolition of existing vacant filling
station canopy and construction of
new apartment block comprising 9no.
flats with parking and landscaping.
(Application received 17 November
2016)**

Ward:

Pettits

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

**Stefan Kukula
Principal Development Management
Officer
stefan.kukula@havering.gov.uk
01708 432655**

Policy context:

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

Financial summary:

None

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

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

SUMMARY

The proposal is for the demolition of the vacant filling station canopy and the erection of a new apartment block comprising 9no. flats, with parking and landscaping.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 874 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £17,480 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 obligations by 6 October 2017 and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £54,000 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 Director of Neighbourhoods 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

Prior to occupation of the building the secure cycle storage facilities as detailed on drawing no. 'P05' shall be provided to the full satisfaction the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

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

8. Landscaping

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

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

9. Parking Provision

Before any part of the dwellings hereby permitted are first occupied the car parking provision as indicated in drawing no. 'P05' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

10. Boundary Fencing

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC6.

11. Pedestrian Visibility Splay

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

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

12. Vehicle Cleansing

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

originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

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

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

13. Noise Insulation

The buildings shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise.

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

14. Lighting

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

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

15. Minor Space Standards

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

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

16. Water Efficiency

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

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

17. Contaminated Land

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

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

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

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

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

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

18. Contaminated Land Monitoring

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

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

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

19. Road Traffic Noise

Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from Eastern Avenue upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: Insufficient information has been supplied with the application to judge the impact of road noise upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of road noise in accordance with Development Control Policies Development Plan Document Policy DC61.

20. Air Quality Assessment

a) Prior to the commencement of the development hereby approved, an Air Quality Assessment Report shall be submitted to and agreed by the Local Planning Authority. The air quality report will need to consider both the issues of pollution from motor vehicles and the construction works. The report shall detail: how the development may impact upon local air quality, model the future impact, identify mitigation measures, provides full details of measures that will be implemented (or continue to be implemented) after development to protect both the internal air quality of buildings and to ensure that there is no adverse impact on air quality in the vicinity of the development.

b) The use hereby permitted shall not commence until all measures identified in the Air Quality Assessment Report have been shown to be implemented to the satisfaction of the Local Planning Authority in writing.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared Air Quality Management Area.

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 £17,480 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. **Changes to the public highway (including permanent or temporary access)**
Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

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

Temporary use of the public highway

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

4. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
5. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
6. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the former filling station premises at 6 Eastern Avenue East, Romford. The site comprises the remains of a forecourt canopy and associated hardstanding set within a triangular plot located adjacent to the junction of the A12 Eastern Avenue East and North Street.
- 1.2 The north western boundary of the site abuts the side boundary of the commercial premises at Parkside Court. To the south the plot is bounded by the North Street Medical Centre at 274 North Street. The site is located within a mixed residential and commercial area, characterised by predominantly two storey buildings comprising detached and semi-detached houses and commercial premises.
- 1.3 The existing structures on site are not listed and the premises is not located within a conservation area. The land is not subject to any specific land use designation within the LDF.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the demolition of the existing vacant filling station canopy and removal of underground storage tanks, and the construction of a new apartment block comprising 9no. two-bedroom flats, with associated parking and landscaping.
- 2.2 The new building would be set back within the site wrapping around the junction frontage with Eastern Avenue East and North Street, incorporating two main elements: a part two and three storey rectangular brick built block, which would merge into a three storey oval corner feature with a contemporary design. The oval section would be finished with a weathered copper cladding tile finish.
- 2.3 The proposal would provide a total of 12no. off street car parking spaces set out to the north of the site and accessed directly from Eastern Avenue East. The parking area would also provide a refuse storage area installed adjacent to the northern boundary. An internal secure cycle store with 22 spaces would be provided on the ground floor of the new block.

3. Relevant History

- 3.1 P0190.09 - MOT centre, motor vehicle servicing centre with ancillary car washing service, showroom and sandwich bar - Refused, 4 September 2009

- 3.2 P0834.05 - Demolition of existing buildings and site clearance erection of 14 flats and associated parking - Allowed on Appeal, 8 December 2005
- 3.3 P0980.02 - Change of use to car wash and valeting - Approved, 18 July 2002

4. Consultations/Representations

4.1 Notification letters were sent to 43 properties and 7 representations have been received. The comments can be summarised as follows:

- Loss of privacy and overlooking of residential properties at Parkside Avenue.
- Loss of light and overshadowing.
- Loss of light and overlooking of offices and meeting rooms at adjacent medical centre.
- Overdevelopment of site and out of character with surrounding area.
- Concerns that future residents may use the medical centre car park as an overflow.

4.2 In response to the above: Issues in relation to design, scale, bulk and massing are discussed further in the Density/Layout and Streetscene sections of the report. Issues concerning privacy, overlooking and daylight are considered in the residential amenity section. Car parking is discussed in 'Highway/ Parking' section which are set out below.

4.3 The following consultation responses have been received:

- Thames Water - no objection.
- Essex Water - no objection.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Transport for London - no objection.
- Environmental Health - no objection, recommended conditions relating to noise insulation, contaminated land, air quality, and road traffic noise.
- Local Highway Authority - no objection, recommended conditions in relation to pedestrian visibility splays, vehicle access and vehicle cleansing.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Education 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.
- 5.2 Other relevant documents include the Residential Design SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses, and the suitability of the proposed parking and access arrangements.
- 6.2 This proposal follows an appeal decision to grant planning permission (P0834.05) in 2005 for the demolition of the existing buildings and site clearance and the erection of 14no. flats and associated parking.
- 6.3 Whilst both the current application and the scheme allowed at appeal in 2005 propose a residential redevelopment; the current scheme is considered to be substantially different to the 2005 proposal in terms of design, but it does share close similarities by way of building footprint, site layout, height, bulk and massing.

Principle of Development

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

- 6.5 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. Policy DC11 generally requires the redevelopment of non-designated commercial sites for residential.
- 6.6 On this basis the proposal is considered to be policy compliant in land use terms and change of use to residential purposes is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.7 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.8 The proposal would provide 9no. residential units at a density equivalent to approximately 105 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a density of between 50 to 110 dwellings per hectare would be appropriate in this location.
- 6.9 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set 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.
- 6.10 The proposed flatted block would provide 9no. 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 and width. Given this factor it is considered that the proposed development would be in accordance with technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.11 Havering's Residential Design SPD does not prescribe minimum space standards for private and shared amenity areas. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 6.12 The proposed upper floor flats would each be provided with balconies ranging from between 7 square metres and 8.5 square metres. The ground floor flat, unit 1, would have an external terrace area and the third floor flat, unit 9, would benefit from a spacious roof terrace area. A shared landscaped

communal garden area would be set out to the south of the site adjacent to North Street.

- 6.13 It is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space and in this instance would be adequate for the requirements of the two-bedroom apartments.

Design/Impact on Streetscene

- 6.14 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.15 The former petrol filling station has not been in use for several years and the site has become untidy and run-down, giving the site and surrounding area a neglected appearance. It is recognised that the proposed building would form a prominent feature, particularly in comparison to the canopy structure that currently occupies the site. However, on balance the appearance and style of the new building is considered to be of an interesting and high quality modern design, which seeks to recognise the prominent corner plot location and form more of a salient feature within the streetscene.
- 6.16 The height, bulk and massing of the building is considered to be similar to that of the other three-storey residential development within the vicinity of the junction, located on the opposite side of Eastern Avenue East at Sphere Apartments. The proposal also shares close similarities by way of building footprint, site layout, height, bulk and massing with an earlier scheme at the site for an apartment block comprising 14no. flats that was granted planning permission on appeal in 2005.
- 6.17 It is acknowledged that to the north and south the proposed building would be juxtaposed to some extent with its setting adjacent to the two-storey commercial units and medical centre. Nevertheless, the character of the surrounding area is undistinguished and it is considered that the adjacent buildings offer little in terms of architectural quality to this section of the streetscene. As such the features of these buildings should not necessarily be replicated fully in the proposed re-development.
- 6.18 The application site forms a very conspicuous location in terms of its position adjacent to the junction of Eastern Avenue East and North Road. In summing up the appeal case in 2005, the Inspector noted that the redevelopment of the site provides an important opportunity for increasing the legibility of the local townscape by the provision of a building that would serve as a landmark feature on this corner, marking a gateway to the town centre.
- 6.19 It is recognised that the new building would be significantly larger than the structures it replaces. But in terms of height, the 2005 appeal Inspector considered a three-storey building to be sufficiently tall to give some

prominence to the site, whilst not appearing unduly out of scale with the existing development. Staff are of the view that this principle has been carried forward in to the current proposal. As such it is considered that the proposed new block would serve to frame the prominent corner location and function appropriately as a marker identifying the road junction. As such it is considered that the striking contemporary design would create an interesting architectural feature, enhancing the character and appearance of the streetscene at a gateway junction to Romford town centre.

- 6.20 In terms of materials, the oval corner feature would be treated with distinctive green weathered copper cladding tiles. Staff consider that this detail would be a crucial element in ensuring that the proposed contemporary design is of the quality necessary for a new development of the scale proposed in this prominent location.
- 6.21 On balance it is considered that the proposed development would contribute positively to the streetscene at the junction of Eastern Avenue East and North Road would serve to enhance the character and appearance of the area in accordance with Policy DC61.

Impact on Amenity

- 6.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.23 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the occupants of the dwellings at the first floor flats at Parkside Court and houses at Parkside Avenue located to the north and south of the application site respectively.
- 6.24 In terms of privacy and overlooking; the new building would be orientated with windows on all elevations, and balconies on the north and south elevations as well as a roof terrace with an outlook over Eastern Avenue East.
- 6.25 There would be no overlooking or inter-looking with the closest residential flats at Parkside Court given the off-set orientation of the adjacent building with rear windows facing away from the site. The impact on this property through loss of light and over-dominance would be mitigated by separation distances of over 20 metres.
- 6.26 The rear of the residential properties at Parkside Avenue would be located over 50 metres from the site and separated by a strip of land to the rear of the medical centre. As a result it is not considered that the proposed

development would present any undue impact on the residential amenity of these neighbouring houses in terms of privacy, overlooking and loss of light.

- 6.27 Concerns have been raised by the adjacent medical centre that the development would result in overlooking and loss of light due to the proximity of the new building to several side windows serving staff meeting rooms and patient consulting rooms. Whilst it is acknowledged that the proposed building would form a much more prominent feature adjacent to the medical centre in terms of outlook; the new building would be orientated directly to the north, so would not cause overshadowing. In addition the medical centre is not occupied by residential patients and those using the facility are doing so on a transient basis. There would be no harm to the amenity of residential occupiers in this instance.
- 6.28 Staff are of the view that given the specific site circumstances and the positioning of the proposed building in relation to the boundaries of the site and adjacent buildings, the development would stand comfortably in this location and would not prejudice future re-development of the medical centre site.
- 6.29 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

- 6.30 The site is a former petrol filling station and Environmental Health have raised no objections, subject to a series of conditions in relation to historical contaminated land issues and the remediation of the land.
- 6.31 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 6.32 The proposal is not considered to give rise to any significant noise issues that would not normally be associated with residential occupation.

Parking and Highway Issues

- 6.33 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 3, meaning that the site offers an average degree of access to surrounding public transport. As such this invokes a standard of 1.5-1 parking spaces per dwelling. The London Plan suggests that up to 1no. parking space per unit would be appropriate in this location.

- 6.34 The scheme can demonstrate off street car parking provision for 12no. vehicles, which equates to 1.3 spaces per dwelling. Given the site circumstances this level of provision is considered acceptable in this location.
- 6.35 The Local Highway Authority has raised no objection to the proposal, but have requested that additional information in relation to pedestrian visibility splays is requested via condition, to ensure the safe ingress and egress of vehicles from the site onto the A12.
- 6.36 A refuse storage area would also be installed in the car park adjacent to the northern boundary of the site. In terms of servicing the refuse store would be accessible to a refuse collection truck with sufficient spacing to allow the collection vehicle to enter and exit the site in a forward gear.
- 6.37 An internal secure cycle store with space for 22no. bicycles would be provided on the ground floor of the new block.

Mayoral Community Infrastructure Levy

- 6.38 The proposed development will create 9no. residential units with 874 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £17,480 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.39 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.
- 6.40 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.
- 6.41 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.

- 6.42 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.
- 6.43 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.
- 6.44 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.
- 6.45 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.
- 6.46 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 £54,000 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 neighbouring residents. The proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that on balance 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 section 106 legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 17 November 2016.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

6 April 2017

Subject Heading:

P1986.16 – Demolition of the existing dwelling and the construction of two new buildings containing 7no. residential units. (received 7/12/16)

Lead Officer:

Helen Oakerbee - Planning Manager Applications

Report Author and contact details:

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Senior Planner
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Ward

Hylands

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 proposal seeks consent for the demolition of the existing dwelling and the construction of two new buildings containing 7no. residential units. In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. A Section 106 Legal Agreement is required to secure a financial contribution. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following obligations by 6 October 2017 and in the event that the s106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £36,000 to be paid prior to the commencement of the development, to be used for educational purposes in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the planning obligation prior to its completion irrespective of whether the obligation is completed.
- The payment of the appropriate planning obligations monitoring fee prior to the completion of the obligation.

That the 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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

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

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

5. Refuse – 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.

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

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

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

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

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

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

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

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

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

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.

- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.

- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

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

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

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

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

14. 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.

15. 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.

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

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

17. Construction Method Statement - 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.

18. Obscure glazing - The proposed ground floor flank bathroom window of Unit 1 and the proposed flank shower room window in the roof space of Unit 2 hereby approved as shown on Drawing No. 1455/04 Revision A shall be permanently glazed with obscure glass.

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

19. Obscure glazing - The proposed ground, first and second floor flank stairwell and landing windows of Unit 2 hereby approved as shown on Drawing No. 1455/04 Revision A shall be permanently glazed with obscure glass.

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

20. Obscure glazing - The proposed north western flank windows serving bathrooms and open plan kitchen/living rooms of Units 4, 6 and 7 hereby approved as shown on Drawing No. 1455/05 Revision A shall be permanently glazed with obscure glass.

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

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

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

22. 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.

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 conserve the archaeological interest on the site and in order that the development accords with the Development Control Policies Development Plan Document Policy DC70.

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 £8,688. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.
3. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
4. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.
5. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license

from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

6. 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.
7. 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.
8. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
9. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:
<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. **Call in:**
 - 1.1 The application has been called in by Councillor Ganly on the grounds of overdevelopment of the site and the layout of the development would be inadequate resulting in substandard accommodation for future residents through lack of internal space, poor outlook, limited light, undue overlooking, loss of privacy, noise and disturbance from vehicle movements.
2. **Site Description:**

2.1 The application site currently comprises of a two storey detached house to the south west of Osborne Road, Hornchurch. There are two storey dwellings in Savoy Grove, which is to the north west of the application site. There are two storey detached properties either side of the application dwelling. Frances Bardsley School for Girls is located to the south west of the application site. Hylands Park is located to the south of the site.

3. Description of development:

3.1 The proposal is for the demolition of the existing dwelling and the construction of two new buildings containing 7 no. residential units. The proposal consists of a two storey detached building containing plots 1-2, which consists of one, two bedroom self-contained flat and one, three bedroom self-contained flat. There is a two storey building adjacent to No. 2 Savoy Grove and Hylands Park, containing plots 3-7, which consist of five, two bedroom units. The parking area would be located adjacent to the north western boundary of the site.

3. Relevant History:

3.1 P1239.16 - Demolition of existing dwelling and construction of two new buildings containing 8 no. residential units – Refused.

4. Consultations/Representations:

4.1 33 Neighbouring properties were notified of the proposed works at the application site. A petition was received with 713 signatures to reject this application and make the developer put back trees along the park boundary that were destroyed. Forty five letters of objection were received with detailed comments that have been summarised as follows:

- Impact on the character and appearance of the road.
- Would set an undesirable precedent.
- Impact on infrastructure.
- Highway and pedestrian safety.
- Access, including for emergency vehicles.
- Parking.
- Traffic.
- Congestion.
- High density.
- Loss of landscaping and a large number of trees on the site have been cut down and cleared.
- The proposed layout of the development would be inadequate resulting in substandard accommodation for future residents through lack of internal space, poor outlook, limited light, undue overlooking, loss of privacy, noise and disturbance from vehicle movement and headlights beaming into habitable rooms and no pedestrian front entrance for plots 1-3 detrimental to residential amenity.
- The cumulative impact of the width and siting of the access road and lack of pedestrian visibility splays would impede the vehicular entry and egress of the site harmful to highway safety.

- Lack of contribution towards infrastructure.
- This proposal has the same issues as the previously refused application.
- The revised design, layout and reducing the number of units from 8 to 7 is not substantially different from application P1239.16.
- The parking area in between the developments is out of keeping with the residential nature of the local area.
- No separation for pedestrian and vehicular access within the site.
- Most of the site will be covered in buildings and tarmac, which will destroy more green space harmful to the environment.
- Loss of views.
- The height and scale of the proposed development.
- Concerns regarding multi-occupancy housing, which would be predominately rented.
- Garden grabbing.
- Loss of privacy and safety.
- Overlooking.
- Loss of light.
- Archaeology.
- Noise.
- Loss of light to Savoy Grove e.g. the play area would be overshadowed by the rear apartment block.
- Impact on neighbouring amenity.
- Headlight glare.
- Impact on property value.
- The amenity area is too small for the number of occupants of the flats.
- Visual impact.
- Light, noise and air pollution.
- Flats would not be in keeping with Osborne Road.
- Lack of consultation.
- The area is characterised by good sized, detached or semi-detached family homes.
- The impact on the setting and rural aspect of Hylands Park.
- The plot is too small to accommodate seven dwellings.
- Drainage and sewerage.
- Disruption, traffic, noise and dust during construction works.
- Would prefer the retention of the existing dwelling or its replacement with a similar building.
- Overdevelopment and cramped.
- The impact of the development on the bus route.
- Queried if a restrictive covenant could restrict the number of vehicles per household and preventing on street parking.
- Significant loss of garden land and the risk of flooding due to rainwater from the car park.
- Refuse provision.
- A world war plane crashed in the rear garden of the application site with possible fuel contamination.

4.2 In response to the above, each planning application is determined on its individual planning merits. Noise, disturbance and wheel washing during construction can be addressed by appropriate planning conditions. Comments regarding devaluation of property and restrictive covenants are not material

planning considerations. Drainage and sewerage are not material planning considerations and are building control matters. Provision for refuse and recycling as well as details of landscaping and boundary treatment can be secured by condition if minded to grant planning permission. There are no Tree Preservation Orders on the site. The remaining issues will be addressed in the following sections of this report.

- 4.3 The Highway Authority has no objection to the proposals. Recommend conditions regarding a pedestrian visibly splay, vehicle access and vehicle cleansing and informatives.
- 4.4 The Fire Brigade is satisfied with the proposals with regard to access to plots 1 and 2. However, the Fire Brigade is not satisfied with the proposals in the case of plots 3-7, for the following reasons. The position for a pump appliance as shown on the plan is considered too restricted with insufficient working space available. This means that measuring from the kerb in Osborne Road to all points within Plots 3-7 is in excess of 45m. It is suggested that the applicant refers to 50.1.2b) of BS: 9991:2015 as a possible alternative. No new fire hydrants will be required to provide cover for this site, the hydrants currently surrounding the area are sufficient to cover the new development.
- 4.5 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. **Relevant policies:**

- 5.1 Policies CP17 (Design), CP18 (Heritage), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions to Residential & Subdivision of Residential Uses), DC29 (Educational premises), DC33 (Car Parking), DC40 (Waste recycling), DC55 (Noise), DC61 (Urban Design), DC70 (Archaeology and ancient monuments) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are also considered to be relevant together with the Design for Living Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.
- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.4 (local character), 7.8 (Heritage Assets and Archaeology) 8.2 (Planning obligations) and 8.3

(Community infrastructure levy) of the London Plan are relevant. The DCLG Technical Housing Standards document and the Housing SPG 2016 are relevant.

- 5.3 Chapters 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework are relevant.

6. Staff Comments

- 6.1 This application is a resubmission of an earlier application, P1239.16, for the demolition of the existing dwelling and the construction of two new buildings containing 8 no. residential units, which was refused planning permission for the following reasons.

1) The proposal, by reason of the number of units and the proposed design and layout, including an excessive amount of hard standing, would represent an overdevelopment of the site and give rise to a cramped urban form, detrimental to local character and amenity and contrary to Policies DC2 and DC61 of the LDF Development Control Policies Development Plan Document and the guidance contained in the National Planning Policy Framework.

2) The proposed layout of the development would be inadequate resulting in substandard accommodation for future residents through lack of internal space, poor outlook, limited light, undue overlooking, loss of privacy, noise and disturbance from vehicle movement and headlights beaming into habitable rooms and no pedestrian front entrance for plots 1-3, detrimental to future residential amenity and contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, Policy 3.5 of the London Plan (as amended), the DCLG Technical Housing Standards and the Residential Design SPD.

3) The proposed development, by reason of the creation of eight, one, two and three bedroom residential units and the provision of eight car parking spaces would result in increased parking congestion in surrounding streets, and the cumulative impact of the width and siting of the access road and the lack of pedestrian visibility splays would impede the vehicular entry and egress of the site harmful to highway safety contrary to Policies DC32, DC33 and DC34 of the Local Development Framework and the guidance contained in the National Planning Policy Framework.

4) 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.

- 6.2 The issue in this case is whether the revised proposal overcomes previously stated concerns. In this respect, the current application differs from the refused scheme in the following key areas:
- The undercroft driveway has been deleted.
 - The number of units has been reduced from 8 to 7.
 - The configuration of units has changed from 2 x one bedroom, 5 x two bedroom and 1 x three bedroom flats to 6 x two bedroom and 1 x three bedroom flats.
 - The roof form, design, size, siting and fenestration of plots 1 and 2 have changed.
 - The fenestration of the building comprising plots 3-7 has changed.
 - The rear entrance and stairwell to plots 1-2 have been deleted.
 - The site layout and access into the site have changed and a pedestrian visibility splay and passing bays have been provided.
 - The number of parking spaces has increased from 8 to 11.
 - A visitor parking space to the front of the site has been deleted.
 - A second cycle store has been provided to the rear of plots 3-7 and there is a total of 14 cycle spaces.
 - There is private amenity space for all the flats.
 - There is some additional soft landscaping.
 - There is a front entrance for plots 1 and 2.
 - The bin store has been integrated within the building.
 - Part of the building (formally comprising of plots 5, 7 and 8 for P1239.16) comprising of units 4, 6 and 7 adjacent to the north western boundary of the site has increased in depth from 12.7m to 15.3m.
 - The internal layout and gross internal floor area of units 1-7 meets the Technical Housing Standard.
- 6.3 The report covers the principle of the development, the impact of the development in the street scene, impact on the amenities of neighbouring properties, highway and parking issues and legal agreements.

7. Principle of development

- 7.1 Policy DC11 states that where sites which are suitable for housing become available outside the Green Belt, the employment areas, the commercial areas, Romford Town Centre and the district and local centres, the Council will not normally permit their use for other purposes. The site does not fall within any pertinent policy designated areas as identified in the Local Development Framework Proposals Map. It has been established, in land use terms, that the site is suitable for a housing development and therefore, the principle of a residential use is in accordance with policy criteria.

8. Density and site layout

- 8.1 The site area is 0.1237 hectares. In density terms Policy DC2 identifies the application site as ranked within a Public Transport Accessibility Level Zone (PTAL) of 2, with the density recommendation being 30-50 units per hectare. The proposed development type would result in approximately 56.5 units per hectare based on the 0.1237 hectare site area. The proposal would therefore

be above the recommended density range and could be considered to represent an overdevelopment of the site.

- 8.2 Units 1-7 meet all the criteria of the Technical Housing Standard.
- 8.3 With regards to amenity space, the SPD on Residential Design indicates suitable requirements for new residential accommodation. Plots 1 & 2 would have a shared amenity space. Plot 1 also has a private amenity space to the rear. Plot 2 has an enclosed balcony of 7 square metres.
- 8.4 Plots 3 and 4 both have private amenity spaces to the rear of the building. Plots 5, 6 and 7 have enclosed balconies of between 5 and 5.9 square metres. Plots 3-7 would also have a shared amenity space. Both the communal and private amenity spaces for plots 1-7 are considered to be acceptable and sufficiently private. Details of boundary treatment and landscaping could be secured by condition if minded to grant planning permission.
- 8.5 Staff consider that the proposal has now overcome the previous reason for refusal relating to layout and quality of residential accommodation. The internal layout has changed such that it now meets the Technical Housing Standard. In addition, the layout of the site has changed and units 1 and 2 would both have front entrances, which is acceptable. It is considered that plots 1-7 would now have a reasonable outlook and aspect, as the design, size, siting and fenestration of plots 1 and 2 have changed and the bin store has been integrated within the building. Staff consider that there would not be undue overlooking, loss of privacy and undue noise and disturbance from vehicle movement and headlights beaming into habitable rooms, as a visitor parking space to the front of the site has been deleted. Staff consider that the flats would now have adequate light, as the rear entrance and stairwell to plots 1-2 have been deleted. In comparison with the previous application, P1239.16, the number of units has been reduced from 8 to 7 and the density has reduced from 64 to 56.5 units per hectare. The current proposal has private amenity space for all the flats, whereas the previous application provided communal amenity areas, so is now considered to be acceptable in this respect.

9. **Design/impact on street/Garden scene**

- 9.1 Policy DC61 seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout, which is compatible with the character of the surrounding area and does not prejudice the environment of the occupiers or adjacent properties.
- 9.2 There are no objections to demolishing the existing dwelling. It is noted that the building to the front of the site (plots 1 and 2) features a part gabled, part hipped roof. The ridge of the gabled sections of the roof of the building would be set back approximately 6 metres from the front façade of the building, which would help to mitigate its impact. On balance, it is considered that the two storey detached building comprising plots 1-2 would integrate satisfactorily with the streetscene. Staff consider that the gabled front

elevation would replicate the gabled front projections of some neighbouring properties in Osborne Road, including No. 26. It is noted that planning permission was granted for the erection of 12 no. houses with garaging and associated works (revised application on approval of P0773.07) at 22-26 Osborne Road under application P0082.08. Staff consider that the building for plots 1-2 would have a similar ridge height to No.'s 18-26 Osborne Road. No.'s 22-26 Osborne Road have a staggered front building line and the building comprising of plots 1-2 would replicate this.

- 9.3 The building comprising of plots 4-7 would be in general alignment with the front façade of No. 2 Savoy Grove. Having compared the plans with P0082.08, it appears that the building to the rear of the site would be approximately 1m higher than No.'s 1 and 2 Savoy Grove, although views of this would be somewhat limited in the streetscene when viewed from Osborne Road given its siting and it would partly be screened by neighbouring dwellings and the building comprising of plots 1 and 2. The building has a gabled roof and No.'s 1 and 2 Savoy Grove both have gabled roofs.
- 9.4 It is noted that the part of the building comprising of units 4, 6 and 7 adjacent to the north western boundary of the site has increased in depth from 12.7m to 15.3m and the number of parking spaces has increased from 8 to 11, which have cumulatively increased the amount of hardstanding, although Staff judge that this would not be materially harmful to the streetscene when viewed from Osborne Road, as it would be located to the rear of the site. There is also some additional landscaping that is parallel with the access road and parking area, which will also help to mitigate the impact. The layout of the front of the site has been reconfigured with the deletion of a visitor parking space, integrating the bin store within the building, increasing the width of the access road to the front of the site to provide a passing point and adding a path to plots 1-2. Staff consider that the creation of a landscaped garden to the front of the site represents an improvement, however the front garden will still contain a significant amount of hard surfacing and visually, to some extent, could be considered to be dominated by the access road.
- 9.6 It is noted that the design, size, siting of plots 1 and 2 have changed and as such, there would be some views of Plots 3-7 in the Osborne Road streetscene, although the front façade of this building would be set back approximately 71 metres from Osborne Road, which would mitigate its impact.
- 9.7 Staff consider that Members will wish to consider the acceptability of the development and its impact on the wider streetscene. The proposal does introduce a significant development comprising of 7 flats in two blocks located in the width of the single dwelling plot and it falls to be considered whether this would integrate satisfactorily in the urban grain of the streetscene, although this needs to be balanced against the fact that the main block is set well back into the site. Additionally, there are some concerns that the access road (with a width of approximately 5 metres) may be viewed as appearing incongruous and thereby harmful to the character and appearance of the surrounding area. Whilst it is noted that planning permission was granted for the erection of 12 no. houses with garaging and associated works (revised application on approval of P0773.07) at 22-26 Osborne Road under application P0082.08,

this involved utilising a much larger site with the demolition of three dwellings and resulted in the creation of a cul-de-sac entitled Savoy Grove. Having carefully reviewed the planning merits of this application, Staff consider that on balance, the proposal would not result in material harm to the character and appearance of the streetscene, although this is a matter of judgement for Members.

10. Impact on amenity

- 10.1 No. 30 Osborne Road has a single storey side/rear extension with numerous flank windows, the first circular and second rectangular shaped windows (nearest the front of the dwelling) both serve a bathroom/shower room, the third and fourth windows both serve a study, the fifth window serves a utility room and is obscure glazed and the sixth window serves a toilet. Planning permission was granted under application P0094.13 to extend an existing single storey rear extension from 4 metres to 11 metres to install a hydrotherapy pool, which has been implemented. There is a velux roof light that serves a hydrotherapy pool and is a secondary light source with a window on its rear façade and doors on the opposite flank. No.30 Osborne Road has a first floor flank window that serves a landing and is not a habitable room.
- 10.2 The agent has advised that a garage abutting the existing dwelling has been demolished. It is considered that the building comprising plots 1-2 would not result in a significant loss of amenity to No. 30 Osborne Road, as there is favourable orientation with the application site located to the north west of this neighbouring property. The undercroft driveway has been deleted and the roof form, design, size, siting and fenestration of plots 1 and 2 have changed. As such, the flank wall of units 1 and 2 would be set in approximately 5 metres from the south eastern boundary of the site, which would help to mitigate its impact. Staff consider that the proposed two storey building to the front of the site would not result in material harm to No. 30 Osborne Road, compared with the existing dwelling and former garage. It is considered that the single storey rear projection of No. 30 Osborne Road would help to mitigate the impact of the building to the front of the site.
- 10.3 Unit 1 has a ground floor flank window serving a bathroom, which can be obscure glazed by condition if minded to grant planning permission. Unit 2 has ground, first and second floor flank windows that serve a stairwell and landing and these could be obscure glazed by condition if minded to grant planning permission.
- 10.4 Staff consider that the single storey rear extension of No. 30 Osborne Road, including a timber shed in its rear garden, would collectively act as a buffer and help to mitigate the impact of any noise and disturbance from the pedestrian and vehicular movements arising from the access road. In addition, it is noted that the number of units has been reduced from 8 to 7. The rear projection of No. 30 Osborne Road also screens some of its rear garden closest to its rear façade. The plans show some landscaping parallel with the access road and details of a landscaping scheme and boundary fencing can be secured by condition if minded to grant planning permission,

which would provide some screening and also help to mitigate some noise and disturbance.

- 10.5 No. 26 Osborne Road has a ground floor flank window that serves a dining room and is a secondary light source with patio doors on the rear elevation and a conservatory. Staff consider that the proposed building to the front of the site (comprising units 1-2) would not result in a significant loss of amenity to No. 26 Osborne Road, as it would project between 0.8 and 1 metre from the front building line of the existing dwelling. In comparison with the previous application, P1239.16, it is noted that the rear entrance and stairwell to plots 1-2 have been deleted and the depth of the building comprising plots 1-2 has increased from approximately 13.7m to 14.7m. Staff consider that the increased depth of the building would not result in a significant loss of amenity to No. 26 Osborne Road, as there would be a flank to flank separation distance of approximately 2.5 metres between this neighbouring property and Plots 1-2, which would help to mitigate its impact.
- 10.6 The number of units to the front of the site has reduced from three to two. The amenity area for plots 1-2 would be adjacent to the rear garden of No. 26 Osborne Road and Staff consider that the creation of one additional unit would not give rise to unacceptable levels of noise and disturbance in comparison with the previous single dwelling. A cycle store would be located adjacent to the rear garden of No. 26 Osborne Road and details of this can be secured by condition if minded to grant planning permission.
- 10.7 It is considered that the two flatted blocks would not result in a significant loss of amenity to No. 1 Savoy Grove given that there would be a back to back separation distance of approximately 24 metres between the rear façade of its garage and the rear façade of plots 1-2. In addition, there would be a separation distance of approximately 13 metres between the nearest corner of the front façade of No. 1 Savoy Grove and the front façade of plots 3-7. Consideration has also been given to the fact that No. 1 Savoy Grove does not have any flank windows, is sited at an oblique angle from both proposed flatted blocks and the flank wall of this neighbouring property is set in approximately 6 metres from the north western boundary of the site, due to the siting of its garage, which would collectively help to mitigate the impact of the proposal.
- 10.8 Staff consider that the proposed car parking area would not be materially harmful to residential amenity, as it would be sited adjacent to the turning and parking area adjacent to No.'s 1 and 2 Savoy Grove. Details of a landscaping scheme and boundary fencing can be secured by condition if minded to grant planning permission, which would provide some screening and also help to mitigate some noise and disturbance. A cycle store would be located adjacent to the rear garden of No. 2 Savoy Grove and details of this can be secured by condition if minded to grant planning permission.
- 10.9 It is considered that the flatted block to the front of the site would not result in a significant loss of amenity to No. 2 Savoy Grove, as there would be a front to back separation distance of approximately 44 metres between the nearest corner of the front façade of No. 2 Savoy Grove and the main entrance of

plots 1-3. Consideration has also been given to the fact that No. 2 Savoy Grove is sited at an oblique angle from plots 1-3, which would help to mitigate the impact of the proposal.

- 10.10 In comparison with the previous application, P1239.16, it is noted that the fenestration of the building comprising plots 3-7 has changed and part of the building comprising of units 4, 6 and 7 adjacent to the north western boundary of the site has increased in depth from 12.7m to 15.3m. Staff consider that the flatted block to the rear of the site would not result in a significant loss of amenity to No. 2 Savoy Grove, as it's located to the north west of plots 3-7 and as such, Staff consider that there would not be a material loss of light. Consideration has also been given to the fact that No. 2 Savoy Grove does not have any flank windows and the flank wall of this neighbouring property is set in between approximately 4 and 5 metres from the north western of the site, due to the siting of its garage, which would collectively help to mitigate the impact of the proposal. Consideration has been given to the relationship between plots 3-7 and No. 2 Savoy Grove. It is noted that the rear façade of plots 3-7 is staggered and its deepest projection is located furthest away from No. 2 Savoy Grove, with a separation distance of between 8 and 9 metres between the flank wall of the two storey rear projection and the north western boundary of the site, which would help to mitigate its impact. In addition, Staff consider that the garage of No. 2 Savoy Grove would help to protect the amenity of its rear garden closest to its rear façade.
- 10.11 Units 4, 6 and 7 have north western flank windows that serve bathrooms and open plan kitchen/living rooms and the plans refer to these being obscure glazed, which can be secured by condition if minded to grant planning permission. Staff consider that the recessed balconies of Units 5, 6 and 7 would not result in any undue overlooking or loss of privacy to neighbouring properties.
- 10.12 It is considered that plots 3-7 would not result in a significant loss of amenity to No.'s 3-7 Savoy Close given the flank and front separation distances between the proposal and these neighbouring properties.
- 10.13 There is a single storey, flat roofed, timber clad building within the grounds of Frances Bardsley Academy for girls, which is located adjacent to the rear boundary of the site. Staff consider that this building would not be adversely affected by the proposal as it doesn't appear to have any flank windows adjacent to the site and there would be a separation distance of between approximately 10 and 11 metres between the flank wall of this building and the rear façade of plots 3-7.

11. **Highway/parking issues**

- 11.1 The site has a PTAL of 2 (poor) and is outside of any town centre PTAL zone. This would generally attract a parking policy standard of 1.5-2 spaces per unit. The London Plan parking standard for a 1-2 bed unit is less than 1 parking space per unit. The London Plan parking standard for a 3 bed unit is up to 1.5 parking spaces per unit. The proposal has 11 car parking spaces, which equates to a ratio of 1.5 spaces per unit.

- 11.2 The previous application, P1239.16, was refused for the following reason: The proposed development, by reason of the creation of eight, one, two and three bedroom residential units and the provision of eight car parking spaces would result in increased parking congestion in surrounding streets, and the cumulative impact of the width and siting of the access road and the lack of pedestrian visibility splays would impede the vehicular entry and egress of the site harmful to highway safety contrary to Policies DC32, DC33 and DC34 of the Local Development Framework and the guidance contained in the National Planning Policy Framework.
- 11.3 Staff consider that the current proposal has addressed previous concerns regarding level of car parking provision as the number of units has been reduced from 8 to 7 and the number of parking spaces has increased from 8 to 11. In terms of the access and highway issues the site layout and access into the site has changed and a pedestrian visibility splay and passing bays have been provided and the bin store has been integrated within the building. It is considered this overcomes previous concerns relating to access and egress.
- 11.4 The Highway Authority has no objection to the proposals and recommends conditions regarding a pedestrian visibility splay, vehicle access and vehicle cleansing and informatives if minded to grant planning permission.
- 11.5 The London Plan requires cycle parking of 1 space per single bedroom unit and 2 spaces per unit for all other dwellings. A cycle store with 8 spaces would be located adjacent to the rear garden of No. 26 Osborne Road. In comparison with the previous application, P1239.16, a second cycle store with 6 spaces has been provided to the rear of plots 3-7. There is a total of 14 cycle spaces on the site, which is acceptable. Details of cycle storage and refuse and recycling provision can be secured by condition if minded to grant planning permission.

14. **Infrastructure**

- 14.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 14.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

- 14.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 14.4 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 14.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly shows the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 14.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 14.7 Previously, in accordance with the SPD, a contribution of £6,000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6,000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 14.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. As No. 14 Beverley Gardens has been demolished, the net addition of three units will equate to a contribution equating to £36,000 for educational purposes would be appropriate.

23. Mayoral CIL

- 15.1 The CIL payment is applicable as the proposal is for 7 no. new dwellings. The existing dwelling would be demolished with a gross internal floorspace of 124.5 square metres, which can be deducted from the gross internal floorspace of the new dwellings. The new dwellings would have a floor space

of 558.9 square metres. $558.9 - 124.5 = 434.4$. On this basis, the CIL liability equals $434.4 \times \text{£}20 \text{ per sq.m} = \text{£}8,688$ (subject to indexation).

16. **Conclusion**

16.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable. As a matter of judgement, there are matters of consideration relating to the visual impact of the access road and degree of hard surfacing of the frontage, together with the extent to which the development is reflective of local character Staff however consider that on balance, the proposal would not result in material harm to the character and appearance of the streetscene, although this is a matter of judgement for Members. Staff consider that the proposal would not be unduly harmful to residential amenity. 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:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 7/12/2016.

REGULATORY SERVICES COMMITTEE

6 April 2017

REPORT

Subject Heading:

P0250.17: James Oglethorpe School

Ward

Single storey, flat roof extension, infilling existing recessed area between toilets and classroom to right hand side of the school, together with external works to form play area, including new canopy and new vehicular entrance and small staff car park. (Application received 15th February 2017).

Hylands

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

This application seeks permission for an extension to the main school building, ancillary development to form external play area with canopy and the formation of a new staff car park to be accessed via a new vehicular entrance from Ashvale Gardens. The extensions are required to facilitate greater demand for the existing early years provision at the school. The application is being reported to Committee because the applicant is the Council and an objection has been received. Although the application has been submitted on behalf of the Council, this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

The development raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of neighbouring occupiers, the suitability of the proposed parking and pedestrian access arrangements, and the implications for the surrounding highway network.

However, the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to safeguarding conditions.

RECOMMENDATIONS

That authority be delegated to the Director of Neighbourhoods to grant planning permission, subject to conditions, following the closure of the site notice publicity period, subject to no new objections being received which have not been addressed within this report. In the event that new objections are received, then the application shall be reported back to the Regulatory Services Committee for further consideration

1. Time Limit

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

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

2. Materials

All new external finishes shall be carried out in materials to match those of the existing building.

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

3. Accordance with Plans

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

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

4. Hours of Construction

No construction works or deliveries into the site shall take place other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the impact of the development on the surrounding area in the interests of amenity.

5. Gas Protection Measures

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

Reason: Insufficient information has been submitted to ensure that the occupants of the development and property are not subject to any risks from soil gas and/or vapour in accordance with LDF Core Strategy and Development Control Policies DPD Policy DC53.

6. Pedestrian Visibility Splay

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

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

7. Vehicle Access

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

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

8. Vehicle Cleansing

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

The submission will provide;

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

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: 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.

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. Changes to the Public Highway

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. please note that unauthorised work on the highway is an offence.

3. Highway Legislation

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

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

4. Temporary use of the public highway

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a license is required and Streetcare should be contacted on 01708434343 to make the necessary arrangements.

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

REPORT DETAIL

1. Site Description

- 1.1 The application site is Oglethorpe County Junior School, which is situated on the southern side of Ashvale Gardens within the Metropolitan Green Belt. The school has already been the subject of several historic planning applications.
- 1.2 The application site is set well away from the highway and as such is far removed from residential properties. The site is also screened for the most part by trees which line the boundaries of the site. It was noted at the time of site inspection that ground level varies across the site.

2. Description of Proposal

- 2.1 Permission is sought for a single storey, flat roof extension to infill an existing recessed area between some toilets and a classroom to the right hand side of the school. In addition some minor external works are proposed to form a new outdoor play area with canopy.
- 2.2 A new vehicular entrance from Ashvale Gardens is proposed and the formation of a new staff car park.
- 2.3 The expansion will be required to increase the existing early years provision from 26 places to a total of 56 places. The total parking on site will increase from 34 spaces, to 41 spaces in total.

3. History

P0900.01 - Single storey front and rear extensions to provide ancillary office space - Approved with conditions

P0991.02 - Proposed alterations to include new staffroom and office - Approved with conditions

4. Consultation/Representations

- 4.1 Neighbour notification letters were sent to 42 neighbouring occupiers. One letter of representation was received at the time of writing which expressed a concern over the dropping off/collection of children at the school and the need for additional parking. These matters will be addressed within the body of this report.

4.2 It must be noted that due to the time constraints associated with this particular planning application that this report has been prepared prior to the formal expiry of the consultation period associated with the site notice. Any further comments received will be communicated to members on the evening of Regulatory Services Committee and any resolution shall be subject to the terms set out within the recommendation section above.

4.2 Highway Authority - No objections, subject to conditions.

4.3 Environmental Health - No objections, subject to conditions.

5. Relevant Policy

5.1 Policies CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Facilities), DC34 (Walking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

5.2 Policies 3.18 (Education Facilities), 5.3 (sustainable design and construction), 6.9 (cycling), 6.10 (walking), 7.3 (designing out crime) and 7.4 (local character) of the London Plan, are material considerations.

5.3 The National Planning Policy Framework, specifically Sections 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

6.1 The application is being reported to Committee because the applicant is the Council and an objection has been received

7. Principle of Development

7.1 The issues for Staff to consider relate to the impact that the proposed extension would have on the character of the original building, locality, and amenity of neighbouring occupiers, highways and parking as well as that of the Metropolitan Green Belt.

7.2 The application site lies within the Metropolitan Green Belt. Schools are not within the list of appropriate uses for the Green Belt. Nonetheless the National Planning Policy Framework (NPPF) indicates that where extensions are proposed to existing buildings/uses, providing they are not disproportionate additions, they are acceptable as an exception to national policy.

7.3 Policy DC45, in line with the previous National Guidance contained in PPG2, indicates that extension of buildings other than dwellings or buildings that are associated with acceptable Green Belt uses are

considered to be inappropriate development. Nonetheless the NPPF adopted by Central Government in March 2012 supersedes the Council's LDF dating from 2008 and is a material planning consideration. As such, and as above, the NPPF accepts extensions to any existing building in the Green Belt which are not disproportionate to the original.

- 7.4 The proposed extension would represent infill development and when seen within the context of the existing school building it is not considered to represent a disproportionate addition.
- 7.5 Policy DC29 states that educational premises should be of a suitable quality to meet the needs of residents.
- 7.4 Havering, in common with many other London Boroughs and urban areas is currently experiencing an increase in the demand for early years places. The Local Authority is required by legislation to secure early education entitlement places by offering 570 hours a year over no fewer than 38 weeks for every child in the borough until the child reaches compulsory school age (the beginning of term following their fifth birthday). This is equivalent to 3 & 4 year olds accessing 15 hours of early years provision per week across 38 weeks.
- 7.5 From September 2017 this 15 hour offer will increase for working families who will be entitled to up to 30 hours of childcare per week for 3 & 4 year olds.
- 7.6 The table below shows the estimated demand for 30 hour places from families in the Upminster ward where James Oglethorpe School is located.

	3&4 year old FTE places available by ward	3&4 year olds eligible for 30 hours	Surplus/Deficit of 3&4 year old 30 hours places
Upminster Ward	158	149	9

- 7.7 Whilst the above data would appear to demonstrate a modest surplus of places, it must be recognised that Upminster is an area that historically attracts children from surrounding wards. To this end at present, figures provided by the applicant suggest that the number of 3&4 year olds accessing provision within the ward is 42% higher than the expected population.
- 7.8 The above is compounded by families moving into the borough from other parts of London and beyond and when taken in conjunction with the information above reinforces the suggestion that in reality there is a projected deficit moving forwards and a greater demand for early years places.

7.4 The development would therefore represent an addition which is required to improve the quality of James Oglethorpe School, in order that it can continue to cater for the needs of residents and meet the increased demand for places expected.

7.5 The proposal is therefore acceptable in principle, subject to assessment of the visual impacts of the development on the main building, the amenity of nearby residents and any highways/parking matters.

8. Design/Impact on Street/Garden Scene

8.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context and the NPPF reinforces this by placing emphasis on good quality, design and architecture.

8.2 The proposed addition whilst located to the front of the school would represent an infill addition to an existing recessed area such that when viewed from the front, the proposal would represent a seamless addition to the main building. Furthermore, its overall proportions would be proportionate to the existing school building in terms of its height and roof. In terms of the scale, bulk and mass of extension, when seen within the context of the school building as extended, it would be negligible.

8.3 A covered area adjacent to the proposed addition is also shown on submitted plans. It's relatively lightweight construction and open nature is such that whilst it projects beyond the existing form of the school its visual impact would be negligible.

8.4 It is considered that the proposed extension would, by reason of its design, positioning and scale, safeguard and preserve the character and appearance of the school and surrounding area and give rise to no unacceptable impact upon the open nature of the Green Belt. The proposal is acceptable and in accordance with Policies DC61, DC45 and the advice contained within the NPPF.

8.4 The additional hard-surfaced area including new vehicular access and pedestrian footpath would present no issues visually. Whilst increased levels of hard-surfacing within the Green Belt is generally considered to be inappropriate, in this instance the parking area would represent a continuation of existing hard-surfaced areas and would be contained to the north west corner of the application site. On this basis the verdant and green character of the schools frontage would not be adversely impacted upon and a sufficient amount of open space would be retained.

9. Impact on Amenity

9.1 The school benefits from an adequate separation from the boundaries of the site, which were observed to be screened by mature vegetation for the most part. The scale of the is not considered to create additional levels of noise and activity that would have a materially greater impact on

neighbouring amenity than that at present. Nevertheless staff are satisfied that safeguarding conditions can be imposed to further ensure the amenity of neighbouring occupiers is protected.

9.2 The proposed areas of hard surfacing to facilitate additional parking for staff would be situated in the north western corner of the site, with new vehicular access from Ashvale Gardens. This element of the proposed development would bring activity closer to the boundaries of the site, however there would still exist an acceptable degree of separation from neighbouring properties. In any event, it is not considered that the relocation of staff parking would have an impact on the amenity of neighbouring occupiers outside of acceptable parameters by way of vehicle movement/noise.

9.2 It is considered that subject to the conditions above, that the proposal would not give rise to any unacceptable impact on amenity of neighbouring occupiers and is therefore in accordance Policy DC61 and the principles of the NPPF.

10. Highway/Parking

10.1 James Oglethorpe School is well served in terms of the existing levels of parking and consequently no objection has been raised by the Highway Authority, subject to conditions requiring adequate visibility splays to be incorporated into the new vehicular access point from Ashvale Gardens.

10.2 The policy requirement for parking equates to one space per member of teaching staff. Presently on existing hard-surfaced areas there is provision made for 34 spaces in total. The figures provided by the applicant for existing staffing levels would suggest that there is a surplus of spaces presently with the applicant confirming that there are currently 32 WTE (whole time equivalent) members of staff present five days per week for the whole school day. This figure is of course derived from all members of staff and part time members of staff have been factored into the figures provided.

10.3 Whilst there would be an increase in the number of staff to facilitate the expansion of the early years provision equivalent to two additional full time members of staff, the proposal makes provision for 7 new parking spaces in total which would both maintain and improve the existing parking surplus and allow for additional parking for visitors to the site.

10.4 It is recognised that the proposal has the potential to increase the number of vehicle trips to and from the school. Staff do not consider that these additional trips would have a prejudicial impact upon traffic flows during the morning and afternoon drop off and pick up peaks.

11. Conclusion

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

IMPLICATIONS AND RISKS

Financial Implications and risks:

None.

Legal Implications and risks:

Although the application relates to a land which is within the Council's ownership, land ownership is not a material planning consideration and therefore does not affect the planning considerations relating to this development application. Also whilst, the application has been submitted on behalf of the Council this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

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 15-02-2017.

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REGULATORY SERVICES COMMITTEE

4 April 2017

REPORT

Subject Heading:

**P0206.17: Rainham Primary School,
Upminster Road South, Rainham**

Demolition of an existing demountable classroom unit and creation of car park area; erection of single storey, flat roof extension (comprising three classrooms); erection of stand-alone, single storey pitched roof nursery building; and, new pedestrian access from Viking Way. (Application originally received 8 February 2017)

Ward:

Rainham and Wennington

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 various development works, which would include the demolition of an existing demountable classroom unit and creation of car park area; the erection of single storey class room extension; the erection of a stand-alone, single storey pitched roof nursery building; and, the installation of a new pedestrian access path from Viking Way.

Although the application has been submitted on behalf of the Council, this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

The development raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of neighbouring occupiers, the suitability of the proposed parking and pedestrian access arrangements, and the implications for the surrounding highway network.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions.

RECOMMENDATIONS

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

1. Time Limit

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

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

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the 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. Car Parking

Prior to the use of the new extension and detached building, the proposed car parking area as detailed on drawing no. 'A2394.A102' shall be completed to the full satisfaction of the Local Authority, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development during the approved opening hours.

Reason: To ensure that there are adequate parking facilities to serve the development in the interests of highway safety and that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC33.

7. Landscaping

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include details of the proposed new access path from Viking Way, as well as 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.

8. Fencing and Gates

Prior to the installation of the new access path from Viking Way details of the boundary treatment and/ or gates shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment/ gates shall be permanently retained and maintained thereafter.

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

9. External Lighting

Prior to commencement details of external lighting, including for all car parking areas and the proposed pedestrian path from Viking Way, shall be submitted to an approved in writing by the Local Planning Authority. The scheme shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The external lighting shall be retained thereafter for the lifetime of the development.

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

20. Highway Agreements

10. New Plant and Machinery

Prior to commencement a scheme for any new plant or machinery shall be submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive property shall not exceed LA90 -10dB. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

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

11. Control of Noise

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 proposed Nursery. Such scheme as may be approved shall be implemented prior to first occupation and thereafter retained in accordance with such details.

Reason: Insufficient information has been supplied with the application to judge the noise levels generated by the proposed nursery. Submission of this detail prior to occupation is required to protect the amenity of occupiers of nearby premises, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

12. Drainage Strategy

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

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

13. Parking Restriction Review

Within 18 months of the development being brought into use a review of parking restrictions within 500 metres of the school pedestrian entrance 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 near the school and to ensure that pedestrian desire lines across junctions or other 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.

14. Travel Plan

Prior to the occupation of the development hereby permitted, a revision to the existing Travel Plan which reflects the increase in pupil numbers shall be submitted to and approved in writing by the Local Planning Authority. The revised Travel Plan shall include a review of walking routes and conditions in the area around the school and 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. To ensure the interests of pedestrians and their desire lines are considered; and to accord with Policy DC34.

15. Vehicle cleansing

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

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;

- c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being 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 vehicle washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
3. **Highway legislation**
The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

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

REPORT DETAIL

1. Site Description

- 1.1 The application site relates to Rainham Primary School, Upminster Road South, Rainham. The school campus comprises a collection of mainly single storey buildings with surrounding playground areas and a grassed playing field to the north.
- 1.2 Vehicular and pedestrian access to the school is taken directly from Upminster Road South. The south-western section of the site adjoins the rear of commercial premises on Upminster Road South. Residential dwellings are located to east of the site at Chapel Lodge and on the opposite side of Upminster Road South. To the west of the site is a recreation ground.

2. Description of Proposal

- 2.1 The application is seeking planning permission for various development works, which would include the demolition of an existing demountable classroom unit located in the north eastern section of the site and creation of a new car park area providing an additional 20no. parking spaces.
- 2.2 The proposal would also involve the erection of a single storey flat roof class room extension, providing three additional classrooms, to the northern wing of the school which is located to the rear of the campus.
- 2.3 In addition, a stand-alone, single storey, pitched roof nursery building would be erected on a section of the playground to the south west of the site.
- 2.4 Finally, a new gated pedestrian access and pathway would be installed between the western boundary of the site and Viking Way.
- 2.5 Overall, the expansion scheme would bring forward an increase of 204 pupils taking the student numbers from approximately 426 children to approximately 630 children. The school expansion would create a further 13 full time jobs, taking the number of employees from 32 to a total of 45.

3. Relevant History

- 3.1 P0615.11 - Variation to Conditions 3(accordance with plans), 4(parking standards), 5(landscaping), 11(boundary railings), 12(details of playground) of P0128.11, to allow for a phased development - Approved, 24 June 2011

- 3.2 P0128.11 - Single storey link extension connecting existing school building to provide new entrance. Single storey infill extension to provide 4 classrooms, foundations unit, relocated staff facilities and children centre/community hub. Landscaping alterations including removal of detached classroom unit - relocated parking area, front play area with seating and storage and railings - Approved, 18 March 2011

4. Consultations/Representations

- 4.1 Notification letters were sent to 104 properties and to date 1 representation has been received. The comments can be summarised as follows:

- Seeking clarification on the use of the bell tower part of the school; will it still be in use or demolished, is it a listed building?

- 4.2 In response to the above: Staff can confirm that the bell tower section of the school is not listed and there are no intentions to demolish this part of the school under this application.

- 4.3 The following consultation responses have been received:

- Environmental Health - no objection, recommended conditions relation to noise reduction.
- Flood & Rivers Management Officer – no objection, requested the inclusion of a pre-commencement condition requiring the submission of a comprehensive drainage strategy, as the site has flooded previously, along with full micro drainage calculations and plans. The incorporation of Sustainable Drainage Systems (SuDS) is necessary.
- Environment Agency - At the time of writing comments from the Environment Agency have not been received. Comments will be reported to committee verbally.
- Local Highway Authority – no objection, subject to conditions requiring a parking restriction review within 18 months of the development being brought into use, the submission of a travel plan prior to occupation of the development, and details of vehicle cleansing during construction.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Facilities), DC34 (Walking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

- 5.2 Policies 3.18 (Education Facilities), 5.3 (sustainable design and construction), 6.9 (cycling), 6.10 (walking), 7.3 (designing out crime) and 7.4 (local character) of the London Plan, are material considerations.
- 5.3 The National Planning Policy Framework, specifically Sections 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

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

Principle of Development

- 6.2 The NPPF attaches great importance to ensuring that a sufficient choice of education facilities are available to meet the needs of existing and new communities. Local Authorities are encouraged to take a proactive and positive approach to development that will widen choice in education, with great weight given to the need to create, expand or alter education facilities.
- 6.3 Replicating this, Policy 3.18 of the London Plan details that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes.
- 6.4 Policy DC29 states that the Council will ensure that the provision of primary education facilities is sufficient to meet the needs of residents by, amongst other things, seeking to meet the need for increased school places within existing sites.
- 6.5 The proposal represents an expansion in the school floor space by approximately 413 square metres of net additional floorspace to add required facilities associated with the safe operation of an existing school use. The proposal is considered to be a necessary expansion in order for the school to continue to meet the needs of residents as well as future demands from population changes.
- 6.6 On this basis the proposal is considered to be acceptable in principle in landuse terms, subject to scale, layout and detailed design and highways considerations.

Design/Impact on Streetscene

- 6.7 The NPPF places significant emphasis on good quality design and architecture. Paragraph 58 sets out the standards that the development should aim to achieve, this includes adding to the overall quality of the area, responding to local character and being visually attractive as a result of good architecture. 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.
- 6.8 The proposed class room extension to the northern wing of the school would be absorbed into the massing of the existing school block and would not be clearly visible from vantage points outside of the school campus. In addition, the proposed design would match the character and appearance of the adjoining block. Overall, in terms of its scale and massing the extension would form a relatively minor addition in comparison to the scale of the existing school buildings.
- 6.9 The proposed stand-alone, single storey, pitched roof nursery building would be erected on a section of the playground to the south west of the site. This element of the development would occupy a more prominent location, where it would be visible from the rear of the commercial properties on Upminster Road South and the recreation ground to the west. In terms of its appearance, the building would incorporate a contemporary roof design comprising of two mono-pitched sloping roof sections with a ridge height of 6.3 metres. Nevertheless, the proposed nursery building would be of a character and design that would match the educational nature of the surrounding buildings within the school campus. As a result it is not considered that the building would form an incongruous feature within this setting or result in any material harm to the character and appearance of the surrounding area.
- 6.10 Overall, it is not considered that the combination of the classroom extension and the new detached building would result in any undue impact on the appearance of the school campus setting and would serve to maintain and enhance the character of the local area in accordance with policy DC61.

Impact on Amenity

- 6.11 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through over-dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, or noise and disturbance to existing properties.
- 6.12 The proposed classroom extension would be positioned within a central section of the site away from any of the surrounding residential accommodation. Given the distances it is not considered that the proposal

would present any undue issues in terms of overshadowing and over-dominance.

- 6.13 The proposed detached nursery building would be set in from the southern and western boundaries and positioned some 12 metres from the rear of the premises at Upminster Road South. Given the spacing distances between the new building and existing properties, it is not considered that this element of the proposal would present undue issues in terms of overshadowing and over-dominance.
- 6.14 The proposed car park would be positioned adjacent to the boundary with the residential properties at Chapel Lodge. The car park would replace an existing demountable building and create an additional 20no. parking spaces. The car park would be screened from the Chapel Lodge properties by the existing boundary treatment. However, it is recognised that the sound of vehicles manoeuvring and car doors closing in this section of the site could raise some concerns in relation to noise and disturbance. In this instance the neighbouring residential accommodation is set away from the school boundary, which would help to reduce any potential noise impact. In addition, the car park will generally be in use during daytime hours. Nevertheless, the residential properties have been erected adjacent to an existing school premises, so any residents living nearby can reasonably expect to experience a greater element of noise and disturbance from general activity associated with the school than those living in a purely residential area. As a result Staff are of the view that the proposed car park would be acceptable.

Environmental Issues

- 6.15 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the land.
- 6.16 The proposal is not considered to give rise to any significant noise issues, subject to conditions required by Environmental Health.

Flood Risk and Drainage

- 6.17 The northern section of the site is located partly within Flood Zones 2 & 3. This would place the proposed car park and the classroom extension within this flood zone area. In addition, the northern part of the nursery building would lie within Flood Zone 2. A supporting Flood Risk Assessment has been submitted which sets out a series of flood resilience measures which will be incorporated to mitigate a flooding event.
- 6.18 The Flood & Rivers Management Officer has requested the submission of a comprehensive drainage strategy, along with full micro drainage calculations and plans. The incorporation of Sustainable Drainage Systems (SuDS)

would also be necessary. As such these details will be obtained via a pre-commencement condition.

- 6.19 At the time of writing comments from the Environment Agency have not been received. Comments will be reported to committee verbally.

Parking and Highway Issues

- 6.20 The parking standard for primary schools is set out as 1no. space per teaching staff. The school expansion would create a further 13 full time jobs, taking the number of employees from 32 to a total of 45. With the proposed the demolition of an existing demountable classroom unit located in the north eastern section of the site and creation of a new section of car park an additional 20no. parking spaces would be provided, giving a total of 43 spaces. Whilst this is slightly below the prescribed standard, it is nevertheless considered that on balance, and taking into account the pressing need for additional school places, the on-site parking shortfall is relatively minimal and overall the proposal could demonstrate sufficient off-street car parking to accommodate the school expansion.
- 6.21 Staff and visitors arriving by car would continue to use the existing vehicular access arrangements from Upminster Road South.
- 6.22 The Local Highway Authority have raised some concerns that the school expansion would create additional pressures for parent parking in the surrounding streets, as although there appears to be capacity, there is some evidence of behavioural issues with parking in restricted and unsuitable areas at present. The application does not propose a drop-off facility and therefore local streets are likely to be used by parents instead. However, the Highway Officer notes that parents using cars will be encouraged to use the adjacent Council car park near Viking Way.
- 6.23 The Highway Officer also notes the reference to the local Public Space Protection Orders in the supporting Transport Assessment, but contends that this process cannot be relied on for mitigation as it requires a process completely separate from planning and highway legislation.
- 6.24 In conclusion the Highway Officer notes that given the community needs in terms of school places, it is accepted that highways concerns may be of less consequence, but have proposed conditions which seek to mitigate the concerns. The recommended conditions include requiring a parking restriction review within 18 months of the development being brought into use, the submission of a travel plan prior to occupation of the development, and details of vehicle cleansing during construction.
- 6.25 Currently children and parents access and egress the school premises on foot through the Upminster Road South pedestrian entrance. The pavement on this side of the street is relatively narrow, and has been identified as a potential health and safety risk.

6.26 As part of the proposal, the existing Upminster Road South pedestrian entrance would be closed off and a new gated pedestrian access and pathway would be installed between Viking Way and the western boundary of the site to create a safer access route to the school. The path would provide a wide pedestrian only route through a stretch of the adjacent recreation ground. It is considered that this arrangement would provide a safer and more spacious environment for parents and children to congregate at drop-off and pick-up times. The proximity of the new path and access to the Council car park would also help to encourage parents to park in this facility rather than on local roads. A lighting scheme for the path will be secured via condition.

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.

7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of neighbouring residents, the suitability of the proposed parking, and pedestrian access, and the implications for the surrounding highway network. 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 proposed development would not be disproportionate or have a harmful impact on the character of the surrounding area nor would it result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be approved subject to conditions..

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

The application relates to land which is within the Council's ownership. This does not affect the planning considerations relating to this development. Although the application has been submitted on behalf of the Council, this has no material

bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

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 8 February 2017.