



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
27 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 - 20)

To approve as a correct record the minutes of the meetings of the Committee held on 23 March and 6 April 2017 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 21 - 48)

- 6 **P0065.17 - 1 MOWBRAYS ROAD, ROMFORD** (Pages 49 - 66)
- 7 **P1537.16 - 1-3 MARKET PLACE, ROMFORD** (Pages 67 - 84)
- 8 **P0183.17 - QUEENS MOAT HOUSE, ST EDWARDS WAY** (Pages 85 - 102)
- 9 **P0092.17 - 25-29 MARKET PLACE, ROMFORD** (Pages 103 - 124)
- 10 **P0960.16 - 75 NORTH STREET, HORNCHURCH** (Pages 125 - 154)
- 11 **URGENT BUSINESS**

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

Andrew Beesley
Head of Democratic Services

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
23 March 2017 (7.30 - 8.45 pm)**

Present:

COUNCILLORS: 11

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

Residents' Group Reg Whitney and +Barry Mugglestone

East Havering Residents' Group Linda Hawthorn and Alex Donald

UKIP Group Phil Martin

Independent Residents Group Graham Williamson

An apology for absence was received from Councillor Stephanie Nunn.

+Substitute members: Councillor Barry Mugglestone (for Stephanie Nunn).

Councillor Ron Ower was also present for part of the meeting.

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

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

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

212 P2031.16 - LAND TO THE REAR OF KENT HOUSE, DURHAM HOUSE AND CUMBERLAND HOUSE, WHITE HART LANE ROMFORD

This report before Members detailed an application for the redevelopment of part of the open space to the rear of four blocks of three-storey flats on the west side of White Hart Lane. The site, which was Council owned, currently comprised an area of informal amenity space used by the occupants of the flats. The space was gated and fenced off so that it was not publically accessible. The proposal was to erect sixteen new affordable dwellings comprising six flats and ten houses. The site lay within a predominantly

residential area where the redevelopment of the land for housing would be acceptable in principle.

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 residents already enjoyed a low level quality of life in the area and that the proposal would have an impact on the amenity of existing residents. The objector also commented that the proposal would lead to a lack of light in the area and also have a detrimental impact on parking provision in the vicinity of the flats. The objector concluded by commenting that the existing flats had not benefitted from any regeneration or refurbishment.

In response the applicant's agent commented that officers had put together a comprehensive report following a long design process. The agent also commented that the proposal met housing needs in the area and provided high quality homes in a mix of designs. The agent concluded by commenting that regeneration works to the existing flats formed part of 2017/18 Housing Programme.

During the debate Members discussed the impact the proposal would have on the existing land and on the amenity of existing residents.

Members also sought and received clarification on the distances between the proposed development and existing properties.

Members noted that the proposed development qualified for a Mayoral CIL contribution of £27,760 and **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £96,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
- 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 obligation (unilateral undertaking) to the date of receipt by the Council.
- The provision on site of a minimum of 50% of the units as affordable housing to remain as affordable rented units in perpetuity.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the planning obligation prior to the completion of the obligation irrespective of whether the obligation was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the unilateral undertaking.

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

The vote for the resolution to grant planning permission was carried by 6 votes to 5.

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

Councillors Hawthorn, Mugglestone, Whitney, Martin and Williamson voted against the resolution to grant planning permission.

213 **P0154.17 - HYLANDS PRIMARY SCHOOL, GRANGER WAY, HORNCHURCH**

The report before Members detailed an application which sought permission for an extension to the main school building, to be located on the western side of the site to provide nursery provision in line with a growing demand for early years' places. The school was Council owned and an objection had been received.

Members noted that a petition had been received from the residents of Granger Way.

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

The objector commented that access to the school was already limited and that at drop off and pick up times the area was already at saturation point. The objector also commented that the current school already overlooked several neighbouring properties and that the proposal would only exacerbate the problem. The objector concluded by commenting that he had received a letter of support from his local MP.

In response the applicant's agent commented that there was a need for extra school places in the Romford area and that these had to be balanced against the extra traffic that would be created. The Council's Highways service had deemed that the extra vehicular movements would be manageable.

During a brief debate Members sought and clarified the distance between the proposed extension and the the neighbouring properties.

Members also discussed the current parking arrangements in the area including the use of the school car park on Sundays by the local church.

It was **RESOLVED** to delegate to the Director of Neighbourhoods to grant planning permission subject to the expiry of the neighbour consultation period and subject to this not generating any further representations which raised new material considerations not covered within the committee report. Should any such further representations raising new material considerations be received then the application to go back to the Committee for determination. Also the attachment of an additional planning condition requiring that the car park fence have additional screening attached to mitigate the effect of headlights shining into residential premises in Granger way.

214 **P0088.17 - CROWNFIELD SCHOOL HOUSE, WHITE HART LANE ROMFORD - SINGLE STOREY REAR EXTENSION AND A NEW FENCED PLAYGROUND**

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

215 **P0096.17 - TOWERS INFANT SCHOOL, OSBORNE ROAD - SINGLE STOREY EXTENSION TO THE EXISTING INFANT SCHOOL BUILDING, TO PROVIDE SPACE FOR A NEW NURSERY PROVISION**

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

216 **P0149.17 - WHYBRIDGE INFANTS SCHOOL, FORD LANE, RAINHAM - NEW TWO CLASSROOM EXTENSION AND STAFF ROOM INFILL EXTENSION**

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

217 **P0059.17 - CENTRAL PARK SWIMMING POOL, GOOSHAYS DRIVE -
SINGLE STOREY EXTENSION TO THE EXISTING LEISURE CENTRE
AND ALTERATIONS TO THE CAR PARK**

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

Chairman

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
6 April 2017 (7.30 - 11.00 pm)**

Present:

COUNCILLORS:	11
Conservative Group	Robby Misir (in the Chair) Ray Best, Steven Kelly, +Roger Westwood and +Damian White
Residents' Group	Stephanie Nunn and Reg Whitney
East Havering Residents' Group	Linda Hawthorn and +Ron Ower
UKIP Group	Phil Martin
Independent Residents Group	Graham Williamson

Apologies were received for the absence of Councillors Melvin Wallace, Michael White and Alex Donald.

+Substitute members: Councillor Roger Westwood (for Melvin Wallace), Councillor Damian White (for Michael White) and Councillor Ron Ower (for Alex Donald).

Councillors Roger Ramsey, Clarence Barrett, Jody Ganly, John Glanville and Patricia Rumble were also present for parts of the meeting.

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

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

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

218 MINUTES

The minutes of the meeting held on 16 March 2017 were agreed as a correct record and signed by the Chairman.

219 **P0092.17 - 25/29 MARKET PLACE, ROMFORD**

It was **RESOLVED** that consideration of the item be deferred to the next meeting of the Committee to allow for officers to deal with queries from neighbour notification letters.

220 **P0064.17 - 65-67 WINGLETYE LANE, HORNCHURCH**

The proposal before Members sought consent for a change of use of 67 from retail use (A1) to a restaurant (A3). It is proposed to merge numbers 65 and 67 to form one larger planning unit.

Members noted that the application had been called in by Councillor John Glanville, for reasons related to customer parking and potential for overspill onto secondary roads.

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

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

The objector commented that merging the two units would harm the character and appearance of the parade. The objector also commented that the area would not be able to cope with additional parking and that there would be an increase in noise nuisance.

In response the applicant commented that the proposal sought to provide a seating area to an existing commercial activity in line with Council policies. The applicant also commented that the proposal would be controlled by conditions and that the flue would be upgraded to disperse of any odours in a controlled manner.

With its agreement Councillors John Glanville and Roger Ramsey addressed the Committee.

Councillor Glanville commented that the surrounding roads would not be able to cope with additional parking that the proposal would attract to the area. Councillor Glanville also commented that he had been in receipt of complaints from residents regarding odours emanating from the premises.

Councillor Ramsey commented that a similar premises in the area that had been granted planning permission had since suffered with displaced parking issues and that the parade of shops was a small parade and not a shopping centre as had been referred to in the report.

During the debate Members sought and received clarification of the number of additional seats that the proposal would bring to the premises discussed the use of the existing car park situated adjacent to the proposal site.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 7 votes to 4 it was **RESOLVED** that planning be refused due to the following reasons:

1. Inadequate parking provision particularly given parking demand from existing commercial units resulting in overspill parking in surrounding streets resulting in inconvenience for nearby residents and parking safety concerns.
2. Noise and disturbance to nearby residents through customers congregating outside and comings and goings.

The vote for the resolution to refuse the granting of planning permission was carried by 8 votes to 3.

Councillors Kelly, White, Hawthorn, Ower, Nunn, Whitney, Martin and Williamson voted for the resolution to refuse the granting of planning permission.

Councillors Best, Misir and Westwood voted against the resolution to refuse the granting of planning permission.

221 **P1986.16 - 28 OSBORNE ROAD, HORNCHURCH**

The proposal before Members sought consent for the demolition of an existing dwelling and the construction of two new buildings containing seven residential units.

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

The objector commented that proposal was an overdevelopment of the site and would leading to an overspill of parking in the area. The objector also commented that the proposal would lead to noise nuisance. The objector concluded by commenting that the proposal would not sit well in the streetscene and could set a precedent in flatted development in the area.

In response the applicant's agent commented that the petition that had been signed by local residents had been slightly misled by the description of the proposal on the petition heading. The agent also commented that the number of flats proposed would not lead to a significant increase in traffic visiting the site. The agent concluded that the proposal had been re-designed following a previous refusal and that the applicant had worked closely with officers to produce a more suitable proposal

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that existing properties in the area were very spacious and enjoyed good levels of amenity. Councillor Ganly also commented that the proposal would be an overdevelopment of the site. Councillor Ganly concluded by commenting that emergency access to the site would be below the norm and that existing properties would suffer from overlooking and a loss of amenity.

During the debate Members sought and clarified the height of the proposal and how it would sit within the existing streetscene.

Members also discussed the fenestration arrangements of the proposed building and how these would impact on neighbouring properties.

Members also discussed the merits of the design, how it would integrate with existing properties and also how it differed from the previously refused proposal.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 6 votes to 5 it was **RESOLVED** that planning permission be refused 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. 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.

Members also wished to place on record the greater emphasis on excessive density.

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

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

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

222 **P1513.16 - NEWSTEAD HOUSE, TROOPERS DRIVE, ROMFORD**

The report before Members considered an application for the conversion of the former Newstead House Residential Care Home into twenty-eight residential units. The proposal would also involve extensions to increase the height to the north elevation of the existing building.

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 did not allow for sufficient parking for residents and visitors. The objector also commented about the noise nuisance during the construction and the effect on the amenity of existing neighbouring properties. The objector concluded that the proposal would lead to overlooking of existing properties and would also have an impact on the existing utility services.

In response the applicant's agent commented that the building had been vacant since 2014 and that the proposal offered much needed residential accommodation in the area. The agent also commented that the number of units proposed was lower than the number of existing units and therefore parking provision had increased. The agent concluded by commenting that the construction phase would be conditioned to minimise the impact on neighbouring properties.

With its agreement Councillor Patricia Rumble addressed the Committee.

Councillor Rumble commented that there would be insufficient parking for the proposed number of units and that light and noise emissions would affect the amenity of existing neighbouring properties. Councillor Rumble also commented that the proposed units would have balconies that would lead to overlooking and a loss of amenity to existing residents.

During the debate Members discussed the size of the development and how it would sit within the existing streetscene.

Members also discussed the lack of provision of affordable housing contained within the scheme and clarified what potential measures there were to allow the applicant to reconsider the affordable housing provision.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 9 votes to 2. It was **RESOLVED** that planning permission be refused on the following grounds:

1. Overdevelopment of the site of excessive density and inadequate amenity space providing poor quality accommodation for future residents.
2. Absence of a legal agreement to secure an education contribution.

The vote for the resolution to refuse the granting of planning permission was carried by 9 votes to 2.

Councillors Misir and Best voted against the resolution to refuse the granting of planning permission.

223 **P0250.17 - JAMES OGLETHORPE SCHOOL**

The application before Members sought 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 were required to facilitate greater demand for the existing early years provision at the school. The application was reported to the Committee because the applicant was the Council and an objection had been received.

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 whilst there was a need for the additional building the additional parking provision was not required as plenty of parking provision already existed. The objector also commented that the additional car park would be a further hazard to children entering and exiting the school.

In response the applicant's agent commented that the application was a modest extension that would lead to the re-location of the nursery provision at the school and that most of the land required was for the extension and not parking provision.

During a brief debate Members discussed the current parking provision at the school and the benefits of the extension.

Following a motion to defer consideration of the item which was lost by 4 votes to 7 it was **RESOLVED** that it be delegated to the Director of Neighbourhoods to grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to delegate the granting of planning permission was carried by 9 votes to 2.

Councillors Hawthorn and Ower voted against the resolution to delegate the granting of planning permission.

224 **P0234.17 - PARK HOUSE, 157 PARK LANE, HORNCHURCH**

The application before Members sought 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).

Members noted that the application had been called-in by Councillor Jody Ganly on the grounds that she was not satisfied with the proposed parking and drop off arrangements, as to who would enforce what the applicant had proposed. Councillor Ganly had also commented that residents in Mendip Road already suffered 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 believed that Mendip Road would bear the brunt of the increased vehicular movement and noise and felt this would impact on residential amenity.

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that the proposal would lead to parking problems in the area which was already suffering from issues of increased traffic and displaced parking. Councillor Ganly also commented that the problems would be exacerbated when the controlled parking zone in Park Lane was extended. Councillor Ganly concluded by commenting that nearby resident's amenity would suffer detrimentally.

During a brief debate Members discussed the suitability of the proposed mixed use scheme and traffic/parking issues that would impact on the area.

The report recommended that planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 6 votes to 5 it was **RESOLVED** that the granting of planning permission be refused on the following grounds:

1. The proposed change of use, by reason of the increased level of activity within the building and outdoors areas, together with the activity arising from parents and children entering and leaving the site, would result in unacceptable levels of noise and disturbance to the detriment of residential amenity, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.
2. Insufficient drop off facility resulting in parking and traffic problems in surrounding roads.

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

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

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

- 225 **P0038.17 - CROWLANDS HEATH GOLF CLUB, WOOD LANE, DAGENHAM - 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**

Members considered the report, noting that the application had been called-in by Councillor Robert Benham on the grounds that given the history of the application, in so much that the previous application for the development was refused under delegated powers without presentation to the Committee; and to allow a full discussion of potential impacts, and without debate **RESOLVED** to refuse the granting of planning permission as per the reasons set out in the report.

- 226 **P0067.17 - COOPERS COMPANY AND COBURN SCHOOL, ST MARY'S LANE, UPMINSTER - 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.**

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

- 227 **P0080.17 - LAND 320M NORTH OF FRANKS FARM WESTERN SIDE OF THE M25, UPMINSTER - INSTALLATION OF A 30M TOWER AND OTHER ANCILLARY DEVELOPMENT FOR A FIXED PERIOD OF TWO YEARS.**

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

- 228 **P0098.17 - 5 ASTOR AVENUE, ROMFORD - SINGLE STOREY REAR EXTENSION, DOUBLE STOREY SIDE EXTENSION WITH GARAGE CONVERSION, LOFT CONVERSION, FRONT BOUNDARY WALL DEMOLITION WITH FRONT GARDEN PAVING REPLACEMENT.**

The Committee considered the report noting that Councillor Robert Benham had called-in the application on the grounds that he had concerns regarding the following aspects of the development not in keeping with the surrounding area, noise and nuisance issues, sanitation issues, lack of existing car parking and the property being indirectly converted into a future

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

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

Councillor White voted against the resolution to grant planning permission.

229 **P0143.17 - 32 DRUMMOND ROAD, ROMFORD - CONSTRUCTION OF A GRANNY ANNEXE IN THE REAR GARDEN TO PROVIDE ANCILLARY RESIDENTIAL ACCOMMODATION FOR AN ELDERLY RELATIVE.**

The Committee considered the report noting that Councillor Robert Benham had called-in the application as he had expressed concerns regarding the property would not be in keeping with the local area, noise and nuisance issues, sanitation issues, lack of existing car parking and the dwelling could be sold as a single dwelling in the future, and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 6 votes to 5.

Councillors Hawthorn, Ower, Nunn, Whitney, Martin and Williamson voted for the resolution to grant planning permission.

Councillors Misir, Best, Kelly, Westwood and White voted against the resolution to grant planning permission.

230 **P0308.17 - 52 CROW LANE, ROMFORD - PROPOSED GARAGE CONVERSION TO LIVEABLE SPACE**

The Committee considered the report, noting that the application had been called-in by Councillor Robert 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, and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was carried by 7 votes to 4.

Councillors Misir, Kelly, Hawthorn, Ower, Nunn, Martin and Williamson voted for the resolution to grant planning permission.

Councillors Best, Westwood, White and Whitney voted against the resolution to grant planning permission.

231 **P1892.16 - 52 INGREBOURNE GARDENS, UPMINSTER - TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT EXTENSION. AND SINGLE STOREY PART TWO STOREY REAR EXTENSION.**

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

232 **P1990.16 - MOUNT PLEASANT FARM, SOUTHEND ARTERIAL ROAD, HORNCHURCH - PROPOSED REMOVAL OF INDUSTRIAL BUILDINGS AND THE DEVELOPMENT OF NINE RESIDENTIAL PROPERTIES AND GARAGES.**

The Committee considered the report and without debate **RESOLVED** to refuse the granting of planning permission for the reasons as set out in the report.

233 **P2048.16 - PURBECK HOUSE, 230-234 HORNCHURCH ROAD, HORNCHURCH - CHANGE OF USE FROM A2 OFFICES AND VARIOUS EXTENSIONS TO CREATE NINE RESIDENTIAL UNITS, PLUS RECONFIGURATION OF CAR PARK TO PROVIDE PARKING, COMMUNAL AMENITY SPACE, AND REFUSE AREA.**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £1,126 and **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 obligations by 6 October 2017 and in the event that the Section 106 agreement was 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 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 to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- Save for the holder of blue badges that the future occupiers of the proposal would 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 as set out in the report.

234 **P1474.13 - WHITE BUNGALOW, SOUTHEND ARTERIAL ROAD, UPMINSTER - DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF ONE SINGLE STOREY DWELLING**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £3,220 and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

235 **P1860.16 - 6 EASTERN AVENUE EAST, ROMFORD - DEMOLITION OF EXISTING VACANT FILLING STATION CANOPY AND CONSTRUCTION OF NEW APARTMENT BLOCK COMPRISING NINE FLATS WITH PARKING AND LANDSCAPING.**

The Committee considered the report, noting that the proposed development qualified for a Mayoral CIL contribution of £17,480, and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following obligations by 6 October 2017 and in the event that the Section 106 agreement was 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 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 to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the 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 as set out in the report.

236 **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**

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

237 **P1905.15 - LIDL FOODSTORE 131 GOOSHAYS DRIVE**

The application was reported to the Committee on 17 November 2016 when it was resolved to grant permission subject to the prior agreement of a light spillage scheme and the completion of a S106 legal agreement. The proposals considered by Members at the meeting included revisions negotiated to reduce the impact on neighbouring residents. The report and the drawings presented reflected these changes, these involved a reduction in the size and resultant floor area of the store.

However, in the course of preparing the s106 agreement it became apparent that the total floor area of these revisions to the application were not correctly referred to in the description of the development set out in the report. The applicant originally applied for a foodstore of gross internal floor area of 2,289 sqm, with 2,041 sqm of this at first floor level, including the sales area. Following the revisions these figures reduced to 1,923 sqm and 1,661 sqm respectively. However, the lower figure covering the proposed first floor (1,661 sqm) was used in error when the description was updated instead of the total floor area of all floors (1,923 sqm).

The committee report correctly described the development on both ground and first floors, but only referred to the area of the first floor. The total floor area of 1,923sqm was correctly reflected in the plans and footprint of the building as assessed by the Committee at the time of presentation and hence approval. In the opinion of staff, the reference to the total floorspace of 1,923 sqm in the description did not alter the scheme as assessed.

In order that the agreement and planning permission contain the correct floorspace the approval of the Committee was sought to this amendment to the committee resolution.

A lighting scheme has been agreed and implementation would be secured by condition. The S106 agreement has been drafted in accordance with the resolution and planning permission can be issued once the change to the description has been agreed.

It was **RESOLVED** that the amendments to the description be made.

238 **SUSPENSION OF STANDING ORDERS**

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

Chairman

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Regulatory Services Committee

27 April 2017

Application No.	Ward	Address
P0187.17	Rainham & Wennington	Land Adj 30-30C South Hall Drive, Rainham
P0272.17	Pettits	29 Risebridge Road, Gidea Park, Romford
P0273.17	Elm Park	27 Station Parade, Elm Park, Hornchurch
P0333.17	Romford	67 Cedar Road, Romford
P1935.16	St Andrews	233 High Street, Hornchurch

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 27th April 2017

APPLICATION NO. P0187.17
WARD: Rainham & Wennington **Date Received:** 6th February 2017
Expiry Date: 3rd April 2017

ADDRESS: Land Adj, 30-30C
South Hall Drive
Rainham

PROPOSAL: Construction of a 2 storey (with third floor in loft) building with ground floor entrance and car parking and first floor accommodation of 3 x 1 bed and 1 x 2 bed apartments, with associated car parking and amenity.

DRAWING NO(S): PL-5309_21
PL-5309_22
PL-5309_23
PL-5309_24
PL-5309_25
PL-5309_26
PL-5309_27
PL-5309_28
PL-5309_29

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

CALL-IN

The application was called in to Committee by Councillor Jeffrey Tucker. The reasons for the call-in are that he considers the application to be of good quality with adequate parking and an attractive modern building with a neat and tidy open green space, all that is needed for the many young members of the community to get onto the housing ladder.

SITE DESCRIPTION

The application site comprises a long, tapering piece of land which is currently occupied by 2 no. garages and various outbuilding structures. The plot depth varies from the southeast to the northwest and measures 20.7m at its widest and 12.35m at its narrow end. It measures 34m long. The site is situated to the side of No. 30c South Hall Drive, which is an end-of-terrace property and to the rear of the properties at No's. 28 - 24 South Hall Drive. The surrounding area is residential in character.

The railway line runs along the other side of the plot. The site is located in Flood Zones 2 and 3. The site is also located within the middle zone of the Horndon to Barking gas pipeline and in the outer zone of the Romford/Baker Street gas pipeline, which is situated to the west of the application site.

Access to the plot is via an unmade access road to the rear of No's. 24-28 South Hall Drive.

DESCRIPTION OF PROPOSAL

The proposal is for the construction of a two storey building with ground floor entrance and

undercroft car parking. There would be three No. 1-bedroom apartments on the first floor and a fourth, 2-bedroom unit (plus study) in the roofspace. A two storey side extension is proposed to the north-western side of the development to allow staircase access to the unit in the loft.

Three dormer windows are proposed to the rear elevation in order to provide additional space in the loft, each measuring 1.8m in width, 2.2m in depth and 2m in height to the top of the flat roofs.

Parking will be provided for 6 No. vehicles within the undercroft.

Communal amenity space would be provided to the side and rear of the proposed building of approximately 130m². Balconies have also been added to the rear elevation.

Bin and cycle storage will be provided in an enclosed area to the side of the garage to the end units. Bin storage to the middle unit will be to the rear of the ground floor parking and cycle storage will be provided.

Staff have noticed an error on the side elevations in that they do not appear to show the proposed first floor balconies. In the event of approval this could be covered by condition given the floor plans and rear elevations all show the balconies.

RELEVANT HISTORY

- P1480.16 - Construction of 2 storey (with third floor in loft) building with ground floor entrance and car parking and first floor accommodation of 3 x 1 bed and 1 x 2 bed apartments, with associated car parking and amenity.
Refuse 29-11-2016
- P0666.15 - Construction of 2 storey building with ground floor entrance and car parking and first floor accommodation consisting of 3 x 1 bedroom apartments, with associated car parking and amenity.
Apprv with Agreement
- P1078.12 - Proposed 3 bedroom detached bungalow dwelling
Awaiting Decision
- P0845.03 - Detached Dwelling (Outline)
Apprv with cons 20-06-2003
- P1576.02 - Three bedroom house
Apprv with cons 01-11-2002

CONSULTATIONS / REPRESENTATIONS

Neighbour notification letters were sent to 19 properties and 4 letters of objection were received. The comments can be summarised as follows:

- Overdevelopment
- Not enough on-site parking provided
- Overlooking
- Noise and disturbance as a result of increased traffic movement

RELEVANT POLICIES

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

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

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10, 5.16 (waste self-sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) of the London Plan, are material considerations.

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.

MAYORAL CIL IMPLICATIONS

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 270m² which, at £20 per m², equates to a Mayoral CIL payment of £5,400 (subject to indexation).

STAFF COMMENTS

The main considerations relate to the principle of the development, the impact on the character and appearance of the streetscene, the implications for the residential amenity of the future occupants and of nearby houses, flood risk, the potential impact of the main gas pipeline on the development and the suitability of the proposed parking and access arrangements.

BACKGROUND

A previous application under P0666.15 has a resolution to grant planning permission subject to the prior completion of a legal agreement. Permission has not yet been issued as the legal agreement has not yet been completed.

A further application under P1480.16 for a side addition to accommodate an additional unit in the roof was refused planning permission on the harm to the streetscene, lack of sufficient amenity space and the absence of a legal agreement for an educational contribution.

The current application differs only slightly from the previous submission in that 10m² of grass area

is added to the front of the building. The applicant has also made minor changes to the landscaping scheme.

Staff are of the opinion that the current proposal does not materially address any of the previous reasons for refusal.

PRINCIPLE OF DEVELOPMENT

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

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

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

DENSITY / SITE LAYOUT

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

The proposal would provide 4 no. residential dwellings at a density equivalent to approximately 74 dwellings per hectare. This is in excess of the aims of Policy DC2 which states that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this location. Although the number of units per hectare is in excess of the recommended range this in itself would not be sufficient reason for refusal given the site constraints and the form of development being proposed.

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

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.

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.

In approving application P0666.15, Staff were satisfied that there was sufficient amenity space provision as, in addition to balconies, there was a substantial amenity area to the west of the proposed block. Similar to the previous refusal, an area of that amenity space will now be taken up by the two storey side addition and the proposals represent an increase from three units to four. Staff are of the view that the proposed communal area to the north-western side would be reduced to such an extent that it will no longer be usable. This is considered to make unsatisfactory provision for residential amenity. The introduction of an additional unit and the consequent material impact on amenity space provision within the site is considered to be evidence of a

cramped, over-development of the site. The addition of a small patch to the front of the site is not considered to change this view as it would not be sufficiently screened and usable as private amenity space and would not change that the original larger area of amenity space provision is now severed by the presence of the proposed additional extension.

DESIGN / IMPACT ON STREET / GARDEN SCENE

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

Concerns are raised regarding the two storey side addition as design-wise it relates poorly to the rest of the development and would be seen as an add on to the side rather than part of the overall design. The side addition is considered to have a harmful visual impact. This element of the proposals has not changed since the previous refusal and therefore this reason for refusal has not been successfully overcome.

IMPACT ON AMENITY

The addition of dormers to the rear and two storey side addition is not considered to have a harmful impact on neighbouring amenity in terms of loss of light and overlooking as it is well removed from immediate neighbouring properties and no windows are proposed to the two storey side addition. The rear dormers will overlook the railway line.

HIGHWAY / PARKING

Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) for the site is set at 1-2 meaning that the site is classified as having relatively low access to public transport. Residential development in this location is required to provide car parking provision of 1.5-2 spaces per unit.

The proposal can demonstrate a total of 6 no. off-street car parking spaces within the site to cater for the proposed 4 no. residential dwellings. The car parking provision would be situated at ground floor. The parking provision would result in a ratio of 1.5 parking spaces per unit which is considered acceptable and in accordance with Policy DC2.

It is therefore considered that the proposed car parking arrangements are acceptable and would not result in highway safety or parking issues.

OTHER ISSUES

The site is located in close proximity to two main gas pipelines. This issue was addressed when a previous application (P0666.15) was considered and the development was found to be acceptable owing to the increased protection of the pipelines in the immediate vicinity. It is considered that the considerations for this application would be materially unchanged from this previous application.

The site is also located in Flood Zone 2 and 3. Consideration was given to this issue as part of the previous application, including a water entry strategy and limiting accommodation to the upper floors of the building only. It is not considered that this application raises any materially different issues to those previously considered and judged to be acceptable under application P0666.15.

SECTION 106

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

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

Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

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

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

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

Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.

Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.

It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £24,000 for educational purposes would be appropriate.

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

KEY ISSUES / CONCLUSIONS

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

Staff consider the two storey side extension to have a harmful visual impact on the surrounding area and the lack of sufficient amenity space provision would result in a cramped form of development. Refusal is recommended accordingly.

RECOMMENDATION

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

1. Reason for refusal - Streetscene

The proposed two storey side extension would, by reason of its incongruous relationship to the main building, appear out of character and harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

2. Reason for refusal - Amenity Space

The layout, size and position of the amenity space for the new development would be unacceptably cramped and of poor quality, materially harmful to the amenity of future occupiers and contrary to Policy DC61 of the LDF Development Control Policies DPD and the Residential Design SPD.

3. 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

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

2. Refusal and CIL

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £5,400. Further details with regard to CIL are available from the Council's website.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 27th April 2017

APPLICATION NO. P0272.17
WARD: Pettits **Date Received:** 17th February 2017
Expiry Date: 2nd May 2017

ADDRESS: 29 Risebridge Road
Gidea Park

PROPOSAL: Part demolish existing flat roofed rear extension , new double storey rear extension added

DRAWING NO(S): Location Plan 1:1250
RR:29:JAWS:3
Revised ground floor plan Rev. B
Revised rear view Rev B
Revised flank view Rev B
Revised side view Rev B
Revised first floor plan

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 Dervish if minded to refuse planning permission, as he does not believe that this causes harm to the character of the Gidea Park Conservation Area as it would not impact on the street scene.

SITE DESCRIPTION

The subject property is located on the north western side of Risebridge Road and it is a detached chalet bungalow with a front garden area and a front driveway. There is a small hedge to the front of the property. The surrounding area is residential in character with predominantly detached properties.

The property dates from 1911, forms part of the Gidea Park Conservation Area and is subject to an Article 4 Direction.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the part demolition of the existing flat roofed rear extension and to construct single and two storey rear extensions.

The first floor rear addition will measure approximately 1.7m in depth and 2.1m in width. This addition will be finished with a dual pitched gable ended roof measuring approximately 4.9m in height to eaves and 6.3m to the ridge.

The single storey rear addition will have a width of approximately 8.4 metres and a depth of approximately 1.2 and 2 metres adjacent to No.'s 25 and 31 Risebridge Road respectively. The single storey rear extension would have a flat roof with a height of 3 metres and 2.6 metres to the eaves.

The additional space would allow an en-suite bathroom at first floor and a reconfigured ground floor layout with a utility room, bathroom and an open plan kitchen, living and dining room at ground floor.

RELEVANT HISTORY

- F0005.16 - Part demolition of existing flat roofed rear extension and new single and two storey rear extension.
Withdrawn - Invalid 20-07-2016
- P1209.16 - Part demolition of existing flat roofed rear extension and new single and two storey rear extension.
Refuse 25-08-2016
- P1089.12 - Replacement front,back and side windows, double glazed to match existing
Apprv with cons 03-01-2013
- P1172.12 - Replacement front, back and side windows to match existing
Withdrawn - Invalid 03-01-2013

CONSULTATIONS / REPRESENTATIONS

The application was advertised by way of a site notice, in the local press and letters sent to 17 neighbouring occupiers. Four letters of objection were received (from two addresses) with detailed comments that have been summarised as follows:

- The design of the single storey rear extension is not in keeping with the original dwelling and detracts from the character of the 1911 Exhibition Estate.
- The height of the lantern light is not shown on the plans.
- The lantern light and parapet walls on the single storey rear extension are excessively high and would be overbearing and harmful to the architectural character of the cottage and residential amenity.
- The rear box gutter would appear overbearing.
- The parapet walls should be removed and a standard flat roof provided.
- Queried if a daylight/sunlight assessment should be provided.
- Loss of light and residential amenity.
- There are some discrepancies on the plans, as the dormer construction should be subservient and have a ridge line lower than the existing dwelling. Also, the lantern light is not shown on the proposed rear elevation.
- A Design and Access Statement was not submitted.
- Excessive depth of the single storey rear extension.
- If the Local Authority were to approve the application as it currently stands, a legal injunction could be served on the development under the Rights to Light Act.
- Not all the measurements are shown on the plans.
- There have been improvements to the first floor elevation from the previous submission.
- The position of the extension close to the boundaries of the site.
- The excessive height, scale, mass and design of the proposed extensions, including the bi-fold doors, would be harmful to the architectural quality of the dwelling and fail to preserve or enhance the character and appearance of the Gidea Park Conservation Area.

In response to the above comments, there is no requirement to show measurements on the plans as they are to scale. Staff consider that it is not reasonable or proportionate to request a daylight/sunlight assessment for a proposed single storey rear extension, particularly as the application dwelling already has a single storey rear extension. Furthermore, the Council does not generally request this level of information given the nature and scale of the proposal. The right to light is not covered by Planning Legislation and is covered elsewhere in law. A Design and Access Statement is only required if the property is within a Conservation Area and the proposal comprises more than 100 square metres floor space, which does not apply in this instance. The remaining issues will be addressed in the following sections of this report.

Gidea Park and District Civic Society - Comment that despite the reductions compared to the previous refusal it is still considered that the first floor rear extension together with the proposed deep ground floor extension would result in significant harm to the character and appearance of the architectural quality of the cottage and consequently would be harmful to the character and appearance of the Conservation Area generally. Additional concerns are voiced about the proposed bi-fold doors their extent and impact upon the character of the dwelling together with the crown roof balustrade and extensive roof lights

Place Services - Have offered detailed comments on the importance of the building in the context of the Conservation Area and the positive contribution it makes to the special character and appearance of the conservation area. Their advice is that the building should be considered a Non Designated Heritage Asset and any planning application therefore determined in accordance with NPPF Para's 126, 128, 129, 131, 135 and 136. A critique of the design and proportions of the dormer and rear extension and their relationship to the existing dwelling is provided concluding with the advice that LBH should refuse the application due to the adverse impact the proposal would have upon the host dwelling and consequentially the wider conservation area.

Highway Authority - No objection.

Environmental Health - No objections/comments with regards to this application in terms of noise.

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

Historic England - The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

RELEVANT POLICIES

DC33 (Car parking), DC61 (Urban Design) and DC68 (Conservation Areas) of the LDF Development Control Policies Development Plan Document are relevant as well as the Heritage SPD, Gidea Park Conservation Area Character Appraisal and Management Proposals and the Residential Extensions and Alterations SPD.

Policies 7.4 (Local character) and 7.8 (Heritage Assets and Archaeology) of the London Plan and Chapters 7 (Requiring good design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework are relevant.

MAYORAL CIL IMPLICATIONS

The proposed single and two storey rear extensions would not have a floor area of over 100 square metres and therefore, would not be liable for Mayoral CIL.

STAFF COMMENTS

This application is a resubmission of an earlier application (P1209.16) for the part demolition of the existing flat roofed rear extension and new single and two storey rear extensions, which was refused planning permission for the following reasons.

1)The proposed extension, by virtue of its excessive height and scale, would visually overwhelm the characterful rear elevation resulting in significant harm to its intrinsic architectural quality, thereby failing to preserve or enhance the character and appearance of the Gidea Park Conservation Area, contrary to Policies DC61 and DC68 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the Heritage SPD.

2)The proposal would, by reason of its excessive depth, height and position close to the boundaries of the site, have an adverse effect on the amenities of an adjacent occupier contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Residential Extensions and Alterations SPD.

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:

-For P1209.16, the first floor rear addition measured approximately 5m in depth, 4.9m in width and had a height of 6.5m to the ridge. For this proposal, the first floor rear addition measures approximately 1.7m in depth, 2.1m in width and has a height of 6.3m to the ridge.

-For P1209.16, the single storey rear addition measured 6m in depth, 8.7m in width and had a crown roof with an overall height of 3.5m.

-For this proposal, the single storey rear addition measures 8.4m in width, between 1.2 and 2 metres in depth and has a flat roof with a height of 3 metres.

Following negotiations with the agent, a set of revised plans were submitted on 7th April, which incorporate the following changes:

-The roof lantern has been deleted and replaced with three roof lights

-The parapet walls to the single storey rear extension have been removed.

-The first floor rear extension has been set below the roof ridge of the existing dwelling.

-The proposed ceiling height of the kitchen has been reduced from 2.6 to 2.4 metres to match the existing house, therefore, the external height of the single storey rear extension has been reduced by 0.2 metres and has an overall height of 3 metres.

The main issues in this case are the impact of the proposal on the streetscene, including the Gidea Park Conservation Area, the impact on residential amenity and any highway and parking issues.

CONSERVATION AREA

The application site is located in the Gidea Park Conservation Area and as such, the general consideration would be whether the new development would preserve or enhance its character and appearance.

The statutory duty applied to planning authorities in the exercise of their planning functions in conservation areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". This aim is reflected in Policy DC68.

The Gidea Park Conservation Area Appraisal notes that Gidea Park was originally intended to be a garden suburb similar in conception to Hampstead Garden Suburb and based on that experience, and although it never achieved this goal in terms of extent, formal layout, consistency of design or community facilities, it nevertheless bears evidence of the architectural and social ideals of the time in its layout, plot arrangement and architectural concepts. Nearly all the houses are detached and the roads generous; the variety of designs and the mature planting in streets, gardens and open spaces now contribute to a residential environment of high quality.

The Conservation Area comprises a number of houses which were constructed as part of the 1911 House and Cottage Exhibition and a further exhibition of Modern Homes in 1934. Over the years the Council has sought to preserve the character of the area firstly through the designation as a Conservation Area in 1970 and later through the adoption of an Article 4 Direction to remove permitted development rights.

The host dwelling is a single family dwellinghouse constructed as part of the 1911 exhibition and is a detached property set within a generous plot. The dwelling retains its original form and its intrinsic character is clearly legible to the rear.

When considering the merits of this application, consideration was given to the fact that there have been other examples of the installation of bi-fold doors on the rear elevation of residential properties in the Gidea Park Conservation Area. Staff consider the bi-fold doors on the rear elevation of the single storey rear extension would be acceptable in this case. Staff consider that the cumulative impact of removing the parapet walls from the single storey rear extension and reducing the height of its flat roof from 3.5 to 3 metres together with deleting the roof lantern and replacing it with three roof lights represents an improvement, has simplified its design and minimised its bulk and visual impact. It is considered that increasing the depth of the existing single storey rear extension by between 1.2 and 2 metres would not be disproportionately large and would appear subservient to the existing dwelling. Taking all the above factors into account, it is considered that the single storey rear extension is within the realms of acceptability and would not be materially harmful to the character and appearance of the existing dwelling.

It is considered that reducing the scale, bulk and mass of the proposed first floor rear extension represents a significant improvement. However, Staff consider that the first floor rear extension would fail to respect the design, proportions and historic integrity of the existing dwelling and appear incongruous. It is therefore considered that the proposed first floor rear extension would result in considerable harm to the 1911 design of the existing building and the special character and appearance of the Gidea Park Conservation Area contrary to the provisions of Policies DC61 and DC68.

IMPACT ON AMENITY

The first floor rear extension is not considered to have an unacceptable impact on the amenity of No.'s 25 and 31 Risebridge Road, as it would be set in approximately 3.1 metres from both flanks of the existing dwelling, which would help to mitigate its impact.

It is considered that the single storey rear extension would not be unduly harmful to the amenity of No. 25 Risebridge Road, as it would only project approximately 1.2 metres beyond the existing extension of the application dwelling, it would be set in 1.5 metres from the boundary and is separated from this neighbouring dwelling by a 2.8m wide single storey garage.

It is noted that No. 31 Risebridge Road has a ground floor flank window that is obscure glazed and is a primary light source to a habitable room. When considering the merits of this application, less weight was afforded to the impact of the proposal on the flank window of No. 31 Risebridge Road as it is obscure glazed. In addition, careful consideration has been given as to whether the proposed single storey rear extension would result in a significant loss of amenity to No. 31 Risebridge Road over and above existing conditions, given that the application dwelling has an existing flat roofed rear extension. Staff consider that the proposal would not result in a significant loss of amenity to No. 31 Risebridge Road, as it involves extending the depth of the existing single storey rear extension by 2 metres and it would be set in from the common boundary by 1.1 metres, which would help to mitigate its impact. There is also favourable orientation, as the rear garden of No. 29 Risebridge Road is located to the north west of this neighbouring property, which would help to mitigate the impact of the proposal.

Staff consider that the cumulative impact of removing the parapet walls from the single storey rear extension and reducing the height of its flat roof from 3.5 to 3 metres together with deleting the roof lantern and replacing it with three roof lights has reduced its height and bulk and as such, it would not result in a significant loss of amenity to neighbouring occupiers, including No.'s 25 and 31 Risebridge Road.

Staff consider that the proposal would not create any additional overlooking or loss of privacy over and above existing conditions. A condition could be placed to ensure that the flat roof of the single storey rear extension is not used as a balcony, roof garden or similar amenity area if minded to grant planning permission.

It is noted that the existing flank solid kitchen door would be replaced with a window adjacent to the north eastern boundary. Taking into account that the flank window of No. 31 Risebridge Road is obscure glazed and the existing boundary treatment, Staff do not consider that this flank kitchen window would give rise to an unacceptable level of overlooking or loss of privacy to this neighbouring property.

Staff consider that the flank kitchen window of the single storey rear extension adjacent to the south western boundary would not result in any undue overlooking or loss of privacy to No. 25 Risebridge Road over and above existing conditions, taking into account the existing boundary treatment.

HIGHWAY / PARKING

There will be no change to the parking arrangement and no highway issues are raised. The

Highway Authority has no objection to the proposal.

KEY ISSUES / CONCLUSIONS

Notwithstanding the various changes that have been made to address the previous reasons for refusal Staff consider that the first floor rear extension would fail to respect the design, proportions and historic integrity of the existing dwelling and appear incongruous. Accordingly it is considered that the proposed first floor rear extension would result in considerable harm to the 1911 design of the existing building and the special character and appearance of the Gidea Park Conservation Area contrary to the provisions of Policies DC61 and DC68 and it is recommended that planning permission be refused.

RECOMMENDATION

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

1. Reason for refusal - Conservation Areas

The proposed development would fail to respect the design, proportions and historic integrity of the existing dwelling, appear incongruous and would result in considerable harm to the 1911 design of the existing building, thereby failing to preserve or enhance the character and appearance of the Gidea Park Conservation Area, contrary to Policies DC61 and DC68 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the Heritage SPD.

INFORMATIVES

1. Refusal - Amendments requested and received

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 Wallington-Smith via a telephone conversation on 30.03.17. The revisions involved deleting the roof lantern and replacing it with three roof lights and deleting the parapet walls from the single storey rear extension and setting the first floor rear extension below the roof ridge of the existing dwelling. The agent submitted revised plans on 7th April 2017, but the changes did not address all the reasons for refusal. Notification of intended refusal and the reason(s) for it was given to Mr Wallington-Smith via email on 7th April 2017.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 27th April 2017

APPLICATION NO. P0273.17
WARD: Elm Park Date Received: 13th February 2017
Expiry Date: 28th April 2017
ADDRESS: 27 Station Parade
Elm Park Hornchurch
PROPOSAL: Change of use from beauty salon (Sui Generis) to D1(Dentist)
DRAWING NO(S): 2009.01
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The subject site comprises of No. 27 Station Parade, Elm Park, which is located in the Retail Core of Elm Park Minor District Centre. The site is located at the end of a parade of three units, which comprise of a European delicatessen entitled 'Camilla' and Elm Park Florists with residential accommodation on the first and second floors.

DESCRIPTION OF PROPOSAL

The proposal seeks consent for a change of use from a beauty salon (Sui Generis) to a dentist (D1). There would be two full time and two part time staff. The proposed opening hours are between 9am to 6pm Monday to Saturday.

The property has been vacant since March 2016. The proposal does not involve any external changes to the building.

RELEVANT HISTORY

P0543.11 - Change of use from retail (A1) to a beauty salon (sui generis)
Apprv with cons 27-05-2011

CONSULTATIONS / REPRESENTATIONS

A total of 32 consultation letters were sent out as part of the planning application process. The application has been advertised in a local newspaper and by way of a site notice, as the application does not accord with the provisions of the development plan.

One letter of representation was received from Councillor Nunn, which has been summarised as follows: The shop has been empty for a year and it is better to change the use and have a dentist's surgery. Queried if the property can be sound proofed because of the drilling.

Highway Authority - No objection.

Environmental Health - No comments/objections in terms of noise. The noise level produced by the proposed use is not considered to be an issue for the adjoining retail premises and as such, no conditions are required if minded to grant planning permission.

RELEVANT POLICIES

Policies 4.7 , 4.8, 7.4 and 7.6 of the London Plan

Policies, CP17, DC16, DC61 of the LDF

NPPF

MAYORAL CIL IMPLICATIONS

The proposal is not liable for CIL, as it does not increase the gross internal floor area of 27 Station Parade.

STAFF COMMENTS

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

PRINCIPLE OF DEVELOPMENT

The application site is located within the Retail Core of Elm Park Minor District Centre.

Policy DC16 of the LDF states that in the district centres and major local centres:

- planning permission for A1 retail uses will be granted throughout the primary shopping area (comprising the retail core and fringe areas) at ground floor level.
- planning permission for service uses (A2, A3, A4, A5) will only be granted within District and Neighbourhood Centres throughout the retail core at ground floor level where:
 - the use provides a service appropriate to a shopping area
 - the proposal will not result in the grouping of 3 or more adjoining A2-A5 uses.
 - within the retail core of Elm Park, the proposal will not result in the proportion of non-retail uses within the relevant frontage exceeding 33% of its total length.

All shop fronts in retail core and fringe areas must be active and maintain the impression of a visual and functional continuity to aid in enhancing the vitality of the town centre.

This policy is intended to maintain the viability and vitality of the town centre by protecting the predominantly retail use so that the range and choice of goods sold are maintained. The retail core of the town centre has been defined in such a way as to single out the most concentrated areas of shopping for protection. In these areas the policy seeks to restrict the number of non-retail uses and also to prevent their grouping as this would interrupt the continuity of individual shopping frontages thus undermining their contribution to the centre as a whole.

In this regard, Staff consider that the proposed change of use to a dentist would provide a service appropriate to a shopping area and would bring a vacant unit back into use.

In determining the relevant frontage for the purposes of the above, it is considered that the frontage begins at No. 25 Station Parade - 'Camilla' and ends at the application site at No. 27 Station Parade. This frontage has a total length of approximately 17 metres.

There are 3 units within this parade. No's 25 and 26 Station Parade are both in retail use as a European delicatessen and florist respectively. The only non-retail use comprises of the application site, which was formally a beauty salon (sui generis). No. 27 Station Parade has a frontage of approximately 5.4 metres, which would result in 31% of the total length of the parade in non-retail use, which would be within the 33% given in policy.

It is considered that the proposed change of use to a dentist (D1) would provide services appropriate to the retail core of Elm Park Minor District Centre and therefore would contribute to the vibrancy and vitality of the locality. Staff are of the view that the proposal would maintain an active shop front and contribute to pedestrian flows. The premises would be open six days a week during normal shopping hours.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposal does not involve any external changes to the building.

IMPACT ON AMENITY

The proposed opening hours for the D1 use are between 9am to 6pm every day. It is considered that a change of use to a dentist would not result in any additional harm to the amenities of the neighbouring occupiers as the applicant is proposing reasonable opening hours. It is unlikely for any significant noise and disturbance to arise from the proposed use. Therefore, it is considered that the proposed change of use would not result in a significant loss of amenity to neighbouring properties and is compliant with Policy DC61.

HIGHWAY / PARKING

There is public parking provided to the front of the parade of shops. Given that the site is situated within the Elm Park Minor District Centre where commercial uses would be expected and residential units are restricted to flats at first and second floor level, it is not considered that the proposal would create any highway or parking issues. The Highway Authority has no objection to the proposal.

KEY ISSUES / CONCLUSIONS

It is considered that the proposed dentist (D1) use would provide services appropriate to the retail core of Elm Park Minor District Centre, would bring a vacant unit back into use and would therefore contribute to the vibrancy and vitality of the locality. It is considered that the use would not be detrimental to neighbouring amenity or create any parking or highway issues. 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. SC27 (Hours of use) ENTER DETAILS

The premises shall not be used for the purposes hereby permitted other than between the hours of 9.00 and 18:00 on Mondays to Saturdays and not at all on Sundays and 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.

4. SC19 (Restricted use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be a dentist only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

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 - 27th April 2017

APPLICATION NO. P0333.17
WARD: Brooklands **Date Received:** 28th February 2017
Expiry Date: 5th May 2017
ADDRESS: 67 Cedar Road
Romford
PROPOSAL: Double storey rear extension, and outbuilding with pitch roof.
DRAWING NO(S): C3-07a
C3-04
C3-05
C3-06
C3-01
C3-03
C3-02
C3-10a
C3-11a

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 to committee by Councillor Robert Benham on behalf of concerned local residents.

Reasons:

- Residents are concerned the proposed outbuilding will be converted into a mini dwelling as seen in a number of other properties within the area.
- Concerns of increased noise and nuisance

SITE DESCRIPTION

Residential property. Two storey, end of terrace dwelling which is finished in a painted render. The property is neither listed, nor is it within a conservation area. No trees will be affected by the proposal. There is on site provision for two off street parking spaces.

The surrounding area is residential in nature and comprises a mixture of semi-detached and terraced properties.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a double storey rear extension and an outbuilding with a pitched roof.

After speaking with the applicant's agent, staff are satisfied that the outbuilding will be used for

purposes ancillary to the dwelling house only. Agent confirmed that the structure will be used by residents of No.67 as a gym/playroom/storage facility.

RELEVANT HISTORY

D0019.17 - Certificate of Lawfulness for proposed loft conversion with hip to gable roof and rear dormer.

PP not required 22-02-2017

Y0349.16 - single storey rear extension with an overall depth of 6 metres, a maximum height of 3.0 metres, and an eaves height of 2.9 metres.

Prior Appr Not Req'd 23-01-2017

CONSULTATIONS / REPRESENTATIONS

Letters were sent to 16 neighbouring properties and another to the Environmental Health department. No objections were received.

RELEVANT POLICIES

LDF

DC61 - Urban Design

SPD04 - Residential Extensions & Alterations SPD

OTHER

LONDON PLAN - 6.13 Parking

-

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.6 - Architecture

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

STAFF COMMENTS

DESIGN / IMPACT ON STREET / GARDEN SCENE

The double storey rear extension is considered to be of an acceptable design and appears consistent with the Council's Residential Extensions and Alterations Supplementary Planning Document.

The proposal will not harm the character of the garden scene as staff consider the rear extensions to be suitably designed and of a acceptable scale, bulk and mass. The proposed rear extensions would also be sympathetic to the existing rear extension of the attached neighbour and thereby integrates appropriately with the character of the gardenscene. Both the ground and first floor extension at the rear will not be visible from the front and will therefore have no impact upon the street scene.

As the outbuilding will be located at the very rear of the garden, the street scene will not be affected. Although clearly visible within the garden, officers do not anticipate the proposal unacceptably impacting upon the character or appearance of the surrounding environment.

The proposed outbuilding would have a low eaves line of 2.5m and a modest overall height of 3.5m. Although, the pitched roof will extend beyond the height of the garden fence, it is considered that the low eaves line would reduce the overall scale and bulk of the proposal to an acceptable level.

After acknowledging the presence of comparably scaled structures within the gardens of nearby neighbouring properties, the actual length of the gardens in question and the fact that the outbuilding would be well removed from the street, staff do not envisage the outbuilding being unreasonable or excessively dominant. The character and overall appearance of the area will not be compromised by the proposed scheme.

IMPACT ON AMENITY

The proposed first floor rear extension will be 3 metres deep and is set 3 metres away from the shared boundary of the attached neighbour at No.65 Cedar Road. The proposal would ensure a reasonable level of amenity will be provided to the occupant(s) of No.65. It is reasonable to assume that any loss of amenity/sunlight experienced by the attached property will be negligible.

Although this extension would extend beyond the original rear wall of the adjoining neighbour, its height and depth both comply with Council guidelines. Therefore, the proposed development would ensure a reasonable level of amenity is afforded to neighbouring properties. The proposed extension will be sited to the north of the non-attached neighbour, so thereby resulting in no significant loss of sunlight or overshadowing. It is considered that the proposal would not give rise to an unacceptable loss of outlook, overbearing impact or visual intrusion towards either neighbour.

As previously mentioned, the proposed outbuilding will be considerate in scale and positioned at the very rear of the garden. What is more, the structure has been set 0.5m from site boundaries to mitigate its impact further still. Neighbouring structures will lessen any potential impact and the alleyway to the rear will create a buffer between the application site and the gardens along Drummond Road.

The submitted plans indicate how no windows will be included upon the rear elevation or either flank side wall of the outbuilding. As such it is not foreseeable that the development would give rise to loss of privacy.

Overall, staff do not envisage the proposed outbuilding unacceptably impacting upon the levels of amenity currently afforded to adjoining neighbours.

A condition would be attached to the outbuilding to ensure the development is nevertheless only used for purposes ancillary to the dwelling house and not for any trade or business.

HIGHWAY / PARKING

Sufficient parking will remain onsite.

KEY ISSUES / CONCLUSIONS

The proposals will not harm the character and appearance of the overall area. Similarly, the proposal is not considered to cause a detrimental impact upon the residential amenities enjoyed by neighbours.

It is therefore 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. 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.

4. SC33 (Incidental Use)

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

Reason:-

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

5. SC46 (Standard flank window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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 Mr M Akbar via email on 22/03/17. The revisions involved reducing the scale of the proposed outbuilding and setting it off the site boundaries. The amendments were subsequently submitted on 06/04/17.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 27th April 2017

APPLICATION NO. P1935.16
WARD: St Andrew's **Date Received:** 28th November 2016
Expiry Date: 23rd January 2017
ADDRESS: 233 High Street
Hornchurch
PROPOSAL: Proposed 1.8m high, black powder metal vertical rod fencing to part of the western boundary of the subject site.
DRAWING NO(S): PRS002.F.2
PRS002.F.3
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 a large area containing several single storey buildings along with a large area of open space, a multi-purpose games area and car parking, all forming the Robert Beard / Birnam Wood Centre, which operates as a Pupil Referral centre for school children with behaviour issues. The site lies on the north side of Hornchurch High Street. It is bounded by walls, fences and mature trees on some boundaries but is completely unenclosed on the western Inskip Drive boundary.

The site lies within the St. Andrews Church conservation area and in the Havering Archaeological Priority Zone.

DESCRIPTION OF PROPOSAL

The proposal is to erect 1.8m high, black powder, metal, vertical rod fencing on part of the western boundary of the site. The applicant indicates that the nature of the facilities on the site, tuition of schoolchildren with behavioural problems, requires an improvement in the level of security which cannot be achieved without fencing the boundaries of the site. The site is already enclosed on most boundaries with only the Inskip Drive boundary remaining to be enclosed.

This application is brought to the planning committee as a Council application with 1 objection to it.

RELEVANT HISTORY

- P0113.17 - The proposed development consists of two single storey extensions to the existing Robert Beard / Birnam Wood Centre.
Awaiting Decision
- P1076.12 - Installation of metal storage container
Apprv with cons 07-12-2012
- P0585.10 - Erection of 2m high fencing to site boundary (part) - mixture of chainlink and bowtop - and 2m high palisade fencing and gates within the site.

Withdrawn 27-05-2010

P0033.10 - Single storey extension to existing annexe, new steps and access ramp and new timber porch to existing annexe.

Apprv with cons 11-06-2010

P1513.99 - Single storey extension for use as an educational premises Pupil referral unit and new hard play area.

Apprv with cons 23-02-2000

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 47 neighbouring occupiers and 1 objection has been received. This objection relates to the principle of fencing in what is currently unenclosed open space and that this fencing will change the open, recreational character of the land.

Environmental Health - no response.

Traffic & Streetcare - fence will affect pedestrian visibility at junction of Inskip Drive and High street at vehicle access point in Inskip Drive; at very least requires condition that south west corner of the fence at the High Street junction be cut back to provide 2.1m by 2.1m pedestrian visibility splay.

Historic England - no archaeological assessment required.

RELEVANT POLICIES

LDF

- CP08 - Community Facilities
- DC29 - Educational Premises
- DC61 - Urban Design
- DC68 - Conservation Areas
- DC70 - Archaeology and Ancient Monuments

OTHER

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

MAYORAL CIL IMPLICATIONS

Not CIL liable.

STAFF COMMENTS

The main issues for this application are any impacts of the proposed fencing on the character of the site and the conservation area.

DESIGN / IMPACT ON STREET / GARDEN SCENE

As noted above, the proposal is to erect 1.8m high fencing on part of the western boundary of the site along Inskip Drive. This fence will consist of black powder, vertical metal rods.

The agents indicate that the enclosure would be carried out using materials and techniques respectful to the character and heritage of the surrounding area and that, in order to soften the edge of the site, along with the metal fence, three more lime trees will be planted in a line with the existing three trees.

The proposed fencing will change the character of this view of what is currently an unenclosed area of open land. However, it is understood health & safety issues require the area to be securely enclosed given the nature of the children and activities on the site. It is considered that this factor outweighs impacts on the character of the site and streetscene provided mitigation is provided. The appearance of the proposed fencing would be comparatively unobtrusive while the proposed additional tree planting will soften the sense of enclosure to some extent. The design, colours and materials of the fencing are considered sympathetic to the conservation area.

IMPACT ON AMENITY

There are several residential properties on Inskip Drive opposite the site. However, the appearance and colours of the proposed fencing would be comparatively unobtrusive and unlikely to have any significant impact on the amenity of nearby properties.

HIGHWAY / PARKING

No highway/parking issues arise from this proposal.

KEY ISSUES / CONCLUSIONS

The proposed fencing will change the character of this view of an unenclosed part of the site but it is considered that this is outweighed by the need for increased security to a site housing facilities for children with behavioural difficulties. The appearance of the proposed fencing would be comparatively unobtrusive while the proposed additional tree planting will provide appropriate mitigation. The design, colours and materials of the fencing are also considered sympathetic to the conservation area. 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 9 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. SC14A (Visibility splay)

The south west corner of the proposed fencing hereby approved shall be cut back at the High Street junction to provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access. 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. Non Standard Condition 31

The new tree planting shown on approved plans PRS002.F.2 and PRS002.F.3 shall be implemented in full. All planting 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:-

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

INFORMATIVES

1. 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

27 April 2017

Subject Heading:

P0065.17 - 1 Mowbrays Road, Romford

Demolition of existing house, ancillary buildings and garage block. Construction of 4 new dwellings plus ancillary facilities. (Received 30/01/17)

Ward:

Pettits Ward

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

David Alabi
Senior Planner
David.alabi@havering.gov.uk
01708 431738

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

This application seeks permission for the demolition of existing house, ancillary buildings and garage block; construction of 4 new dwellings plus ancillary facilities. This is an amended scheme following the approval of an earlier scheme, reference P1421.16 which was approved subject to conditions and the satisfactory completion of a legal agreement at the Regulatory Services Committee of 08.12.2016. This application is identical to the approved scheme apart from changes proposed to the car parking layout.

The proposal is considered acceptable and as such it is recommended that planning permission is granted subject to conditions and a variation of the legal agreement being completed.

RECOMMENDATIONS

That the Committee notes that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 239m² which, at £20 per m², equates to a Mayoral CIL payment of £4,780 (subject to indexation).

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

- The variation of the legal agreement completed on 23rd February 2017 in respect of planning permission P1421.16 by varying the definition of Planning Permission which shall mean either planning permission y as originally granted on planning permission P1421.16 to secure a financial contribution of £18,000 to be used for education 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.
- It is resolved to grant planning permission subject to completion of the s106 agreement by 27 October 2017 or in the event that the s106 agreement is

not completed by 27 October 2017 the item shall be returned to the committee for reconsideration.

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 until the car/vehicle parking area shown on the approved plans has been provided, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

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

4. External Materials

Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

and the character of the immediate area and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

5. Landscaping

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

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

6. Refuse and Recycling

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

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

7. Cycle Storage

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

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

8. Hours of Construction

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

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

9. Construction Methodology

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

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

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

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

10. Wheel washing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during

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

The submission will provide;

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

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

11. Boundary treatment

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

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

12. Accessibility

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

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

13. Water efficiency

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

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

14. Permitted development rights

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

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

15. Domestic Sprinklers

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

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

16. Standard flank window condition

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

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

17. Lighting

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

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

18. Balcony condition

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

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

19. Levels

Prior to the commencement of the development details of the existing and proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the

application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

3. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
4. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
5. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council
6. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £4,780 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
7. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
8. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
9. Please note that by virtue of Condition(s) 12, you are required to notify the relevant Building Control body of these conditions as part of any application.

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

REPORT DETAIL

1. Site Description

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

2. Description of Proposal

- 2.1. The proposal involves the demolition of the bungalow, ancillary buildings to the rear and the garages and the construction of 4 new dwellings. The dwellings comprise:
- a semi-detached pair of 3 bedroom houses facing north onto Mowbrays Road with living accommodation on a lower ground floor (within a basement) and bedrooms on an upper ground and first floor;
 - a two-storey building towards the rear of the site providing a 3 bedroom apartment on the ground floor and another 3 bedroom apartment with living accommodation on the ground floor and the bedrooms on a lower ground floor (within a basement).
- 2.2 The 3 bedroom houses are accessed directly from Mowbrays Road and each is provided with a parking space to the front of the house. Pedestrian

access to the apartment building is by a pathway along the east flank of the proposed semi-detached pair while vehicular access is from the existing service road running alongside nos. 1a-1d Mowbrays Road and parking for 4 cars is provided where the garages currently stand.

- 2.3 Refuse and recycling areas will be located to the front of the semi-detached pair of dwellings fronting Mowbrays Road.
- 2.4 Parking provision for 6 vehicles would be provided; 3 no. on a hardstanding to the front of the semi-detached pair of dwellings and 3 no. spaces to the rear of the properties at No's 1a-1d Mowbrays Road along with the retention of the existing garage.
- 2.5 The dwellings would have a north - south orientation with garden spaces towards the rear.
- 2.6 The main differences between the approved scheme reference P1421.16 and the current scheme may be summarised as follows:
 - relocation of one car parking space from the southern part of the site to the front garden/forecourt fronting onto Mowbrays Road
 - landscaping strip either side of the parking space and
 - retention of the garage to the southern corner of the site

3. Relevant History

- 3.1 P1421.16 - Demolition of the bungalow, ancillary buildings to the rear and garages and the construction of 4 new dwellings. The legal agreement was assigned on 23 February 2017 and the decision was issued on 27 February 2017.
- 3.2 P1082.16 - Demolition of existing house, ancillary buildings and garage block. The construction of 4 no. new dwellings with ancillary facilities. Permission was refused on the grounds that the proposal was considered to be overdevelopment of the site providing a poor standard of accommodation for future occupiers and the absence of a legal agreement to fund school places.
- 3.3 P0341.16 - Demolition of existing house, ancillary buildings and garage block and construction of 4 new dwellings. Permission was refused on the grounds that the proposal was considered to be overdevelopment of the site providing a poor standard of accommodation for future occupiers, that the refuse stores would not be serviceable and that the absence of a legal agreement to fund school places.

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 24 properties and 3 letters of objection were received raising the following concerns.
 - The proposal is too big for the area

- construction will provide underground damage
- 24k toward education is insufficient
- the access road is private and is not a road but a grass track
- the density and overdevelopment would have an adverse impact on the character of the neighbourhood
- the proposal would be overbearing, ugly and out of scale and character with existing development
- the access is unsafe as its width is barely wide enough for a car
- the access was never used as the garages were only used for storage
- the proposal would give rise to additional noise and disturbance
- the proposal would cause structural damage to the neighbouring summerhouse
- the proposal would cause damage to the neighbouring pond and Oak tree
- plots 3 and 4 are not in character with the area
- there is no need for the proposal

4.2 The following consultation responses have been received:

- The London Fire Brigade - No objection.
- London Fire and Emergency - No objection
- Waste and Recycling Team - No objection
- Highways - No objection subject to the provision of appropriate visibility splays and vehicle cleansing conditions.
- Essex & Suffolk Water - No objection subject to compliance with its requirements.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD and the Planning Obligations SPD (Technical Appendices).
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), 8.2 (planning obligations) and 8.3 (community infrastructure levy) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7

(Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

6.1 The main considerations were assessed on the approved scheme, reference P1421.16, and also relate to the current proposal. They include the principle of the development, the impact on the character and appearance of the streetscene, the implications for the residential amenity of nearby houses and the suitability of the revised parking arrangements.

6.2 Principle of Development

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land-use terms and the provision of additional housing is consistent with the NPPF as the application site is within an established urban area.

6.2.2 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of this existing residential site. The proposal is therefore acceptable in principle and in accordance with Policy CP1.

6.2.3 Notwithstanding the above the principle of development in the form proposed was granted agreed on

6.3 Background

6.3.1 The main differences between the current application and the approved scheme has been summarised in the description of the proposal in section 2 above and therefore a comprehensive review of the scheme is not considered to be necessary. A brief outline assessment is therefore presented below.

6.4 Density and Layout

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

6.3.2 The density and main layout of the scheme will not be affected by the proposed relocation of the proposed car parking space

6.4 Design/Impact on Streetscene

6.4.1 Policy DC61 seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 states that planning

permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

6.4.2 The relocation of one car parking space from the south western corner of the site to the front garden of the development includes new planting bays adjacent to the walkway to the front of the building. In terms of its visual appearance along with the two adjacent front parking bays, the proposal is considered acceptable in terms of appearance and visual amenity in the streetscene.

6.5 *Impact on Amenity*

6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

6.5.2 It is not considered that the relocation of the parking space would have a detrimental impact on the amenity of neighbouring occupiers.

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

6.6 *Parking and Highway Issues*

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 2 and therefore requires 2-1.5 parking spaces per unit for a development of this type. The development would provide a total of 6 parking spaces at a ratio of 1.5 spaces per unit. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the minimum requirements of Policy DC33 and no issues are raised in this respect. The proposal would also be in keeping with the London Plan which requires up to 1.5 spaces per unit for a development in this locality.

6.6.2 The amended proposal involves the relocation of one of the car parking spaces from the south east corner of the site as proposed on the approved scheme to the front garden fronting onto Mowbrays Road. The garage to the approved car parking spaces was proposed for demolition but the current scheme involves its retention and re-use. The Highways Authority has no objection to the relocation of the parking space and re-use of the garage subject to a condition requiring appropriate visibility splay.

6.7 *Mayoral Community Infrastructure Levy*

6.7.1 The proposed development will create 4 no. new residential units with 239m² of new gross internal floorspace (406m² minus existing floor area of 167m²). Therefore the proposal is liable for Mayoral CIL and will incur a

charge of £4,780.00 (subject to indexation this figure may go up or down) based on the calculation of £20.00 per square metre.

6.8 *Infrastructure Impact of Development*

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

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

6.8.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

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

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

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

6.8.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of

additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.

6.8.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per dwelling towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.

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

6.9 Response to representations

6.9.1 Objections to the current scheme relate to the nature of the development and concerns that the garage is not used for the garaging of cars. Apart from the issue relating to the use of the garage the issues raised in the representations have been addressed on the approved scheme.

6.9.2 With regard to the use of the garage, as long as its use is ancillary to the residential development of the site, no objection is raised on this issue.

6.9.3 No specific objections have been raised regarding the relocation of the car parking space subject of the current scheme.

7. Conclusion

7.1 Having regard to all relevant factors and material planning considerations Officers are of the view that the proposed amendments to the approved scheme are acceptable subject to conditions and a legal agreement being completed.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on Received on 24 August 2016.

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REGULATORY SERVICES COMMITTEE

REPORT

27 April 2017

Subject Heading:

P1537.16: 1-3 Market Place, Romford

Change of use of ground floor from banking and offices into 2no. A1/A2/A3 units (retail/financial and professional services/restaurant and cafes). Change of use of first and second floor from A2 banking and offices to 6no. residential dwellings. Construction of a roof extension to form 1no. residential dwelling. (Application received 19 October 2016)

Ward:

Romford Town

Lead Officer:

Helen Oakerbee
Planning Manager

Report Author and contact details:

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

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

The proposal is for the construction of a mansard style roof extension to create one additional floor comprising 7no. new flats.

The development raises considerations in relation to the impact on the special character and appearance of the Romford Conservation Area and setting of adjacent listed buildings, the impact on the residential amenity of the future occupants and of neighbouring residents, the implications for the vitality and viability of Romford town centre, and highways considerations.

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 71 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £1,420 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £42,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- It is resolved to grant planning permission subject to completion of the s106 agreement by 27 October 2017 or in the event that the s106 agreement is not completed by 27 October 2017 the item shall be returned to the committee for reconsideration.

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

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. 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.

9. New Plant and Machinery

No building shall be occupied or use commenced until a scheme for the new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary

with the nearest noise sensitive property shall not exceed LA90 -10dB. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

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

10. Noise Insulation

No building shall be occupied or use commenced until a scheme for protecting the proposed dwellings from noise from amplified music and raised voices from the existing music venues in South Street, North Street and Market Place, and the late night economy in general, has been previously submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.

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

11. Noise and Vibration

No building shall be occupied or use commenced until a suitable mechanical ventilation system is installed in accordance with a scheme to control the transmission of noise and vibration which has been previously submitted to and approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated in accordance with the scheme during normal working hours.

Reason: Insufficient information has been supplied with the application to judge the technical specifications of the mechanical ventilation system. 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 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. Insulation of Commercial Units

No building shall be occupied or use commenced until a scheme for insulating the walls and ceiling of the ground floor of the building has been previously submitted to and approved in writing by the Local Planning Authority in order to secure a reduction in the level of noise emanating from it. The ground floor units shall be

effectively sealed to prevent the passage of odours through the structure of the building to other premises and dwellings.

Reason: Insufficient information has been supplied with the application to judge the impact of noise odours upon the proposed development. Submission of a scheme prior to commencement will protect future residents against the impact of noise and odours in accordance with 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.

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 £1,420 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees

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

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

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the property at 1-3 Market Place, Romford. This is a three-storey building, with a bank at ground floor level and offices in the upper floors.
- 1.2 The building occupies a prominent corner location on the junction of Market Place and North Street. The site is designated in the Havering Local Development Framework (LDF) as land within the Romford Major District Centre and as such is surrounded by a mixture of uses including commercial and residential.
- 1.3 In heritage terms the property is located within the historic town centre and Market Place and lies within the Romford Conservation Area. Nearby are several Grade II listed buildings, including The Lamb Public House and The Golden Lion Hotel. The Grade II* listed St. Edward the Confessor's Church is situated to the north. Other listed fabric, as well as various locally listed/heritage asset sites are also in the vicinity.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the change of use of ground floor from banking and offices into 2no. A1/A2/A3 commercial units (retail/financial and professional services/restaurant and cafes).
- 2.2 The proposal would also involve the change of use of first and second floors from A2 banking and offices to 6no. flats and the construction of a roof extension to form 1no. additional flat.
- 2.3 The roof extension would involve raising the height of the North Street section of the building by approximately 2.9 metres. The extension would be set in from the front and side elevations of the building and comprise a contemporary light weight modern design, which would infill the flat roof area, but still remain lower than the height of the corner section of the building and an existing plant room.
- 2.4 The proposal would not include any dedicated off-street car parking provision. Enclosed and secure cycle and refuse stores would be provided at ground floor level.

3. Relevant History

- 3.1 P1670.11 - Change of Use from A2 (bank) to A3 (restaurant) - Approved, 12 January 2012

4. Consultations/Representations

- 4.1 Notification letters were sent to 24 properties and no representations have been received.
- 4.2 The following consultation responses have been received:
- Essex Water - no objection.
 - London Fire Brigade Water Team - no objection.
 - London Fire and Emergency Planning Authority - no objection.
 - Romford Civic Society - have raised objections on the grounds that there is not enough information contained in the application to assess the quality of materials proposed for this work and, consequently, the quality of the impact of the proposal on this important locally-listed building, Romford Conservation Area in general, and the protected view identified in the Conservation Area Appraisal for Romford Conservation Area including this site. The Civic Society consider the principle of a setback roof extension to be acceptable, and advise that there is a precedent for such an intervention at the nearby 1930s Quadrant Arcade. However, but further information is required about the effect and durability of materials proposed for this work,

and the other aspects of the proposal, in order to be able to fully assess the effect they may have on the appearance and integrity of the building and its impact on both the view and the area as a whole.

In response to the Romford Civic Society's concerns: Staff can advise that the use of all external materials and external finishes will be reserved through the inclusion of relevant conditions, and that those materials shall be agreed prior to the commencement of the proposed development.

- Environmental Health - no objection, recommended conditions relating to noise levels and noise insulation.
- Local Highway Authority - no objection, but have requested that a S106 be provided to prevent future occupiers obtaining resident's parking permits.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP4 (Town Centres), CP17 (Design), CP18 (Heritage), DC2 (Housing Mix and Density), DC15 (Retail and Service Development), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC67 (Buildings of Heritage Interest), DC68 (Conservation Areas) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Romford Town Centre Development Framework, the Heritage SPD, the Residential Design SPD, Designing Safer Places SPD, Romford Area Action Plan (ROM13) Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 2.5 (town centres), 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the impact on the special character and appearance of the Romford Conservation Area and the setting of the adjacent listed buildings, the implications for the residential amenity of future occupants and occupants of neighbouring properties, the implications for the vitality and viability of Romford town centre, and highways considerations.

Principle of Development

- 6.2 Current government guidance on heritage matters is set out in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). This is more recent than the LDF and carries significant weight. The Conservation Area is a designated heritage asset in terms of the guidance in the NPPF. Development in a conservation area is acceptable in principle as long as it preserves or enhances the character or appearance of the Conservation Area and is well designed. New buildings within such areas should also be sympathetic/subordinate to the mass and height of the surrounding buildings and complementary in terms of design, detailing and materials.
- 6.3 Retaining commercial uses at ground floor level and introducing residential use at first floor level is acceptable in principle, subject to scale, layout and detailed design considerations. The site currently provides an A2 use at ground floor level, and it is proposed that replacement A1/A2/A3 units would be included in the proposed scheme. As such the scheme is unlikely to result in any significant harm the character, function and vitality and viability of Romford town centre.

Density/ Layout

- 6.4 Policy 3.4 of the London Plan 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.
- 6.5 The proposed conversion and extension would provide 7no. residential units giving rise to density equivalent to approximately 233 dwellings per hectare. This complies with the aims of London Plan Policy 3.4 which suggests that a dwelling density of between 215 to 405 dwellings per hectare would be appropriate in this location.
- 6.6 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.

- 6.7 The proposed conversion and roof extension would provide 2no. one-bedroom units and 5no. two-bedroom units with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and Policy 3.5 of the London Plan, and the flats would provide an acceptable amount of space for day to day living.
- 6.8 Given the town centre location and the conversion of existing floorspace the flats in the upper floors of the building would not be served by amenity areas. The flat created from the roof extension would benefit from a small external terrace area.
- 6.9 Given the town centre location of the building, and the amenity areas associated with equivalent town centre accommodation, it is considered that the limited amount of outdoor private amenity space, would in this instance, be adequate for the requirements of the future occupants.

Conservation Area & Listed Buildings

- 6.10 The site lies within the Romford Conservation Area which includes the immediately adjacent Grade II listed building, The Lamb Public House, and other listed fabric, as well as various locally listed/heritage asset sites which are also in the vicinity. 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.
- 6.11 LDF Policy DC68 sets out criteria for new development in conservation areas. The main issues are that new buildings should preserve or enhance the existing character and should be well designed.
- 6.12 The NPPF and NPPG are more recent than the LDF and carry significant weight. The NPPF states that in determining planning applications account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.13 In making these considerations great weight needs to be given to the asset's conservation. Where there would be substantial harm caused planning permission should be refused, but where any harm is less than substantial the harm needs to be weighed against any public benefits of the development.
- 6.14 The NPPG advises that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or

better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

- 6.15 The application building occupies a prominent corner location on the corner of Market Place and North Street, and the property is included in the local list of buildings of heritage interest. The Heritage Asset Register recognises that the building forms part of a key view from South Street to North Street through the crossroads, making a positive contribution to the street scene in the town centre. It also notes that 1-3 Market Street is a high quality historic building, forming one corner of the historic crossroads at the bottom of Market Place and complements the classical design of the other two locally listed buildings.
- 6.16 The Romford Development Framework states that the function of the crossroads area is to provide Romford Town centre with a high quality environment that acts as focal point for leisure and cultural activities. It also provides the opportunity to strengthen Romford's identity as an historic market town. As such the Framework aims to improve the appearance of the existing historic buildings around the crossroads and ensure high quality architecture is delivered. In addition, building heights should maintain the historic scale of three to four stories.
- 6.17 The proposed roof extension would relate to the much less prominent flat roof element of the building, which fronts onto North Street. This part of the premises is largely concealed from the key views at South Street and Market Place. As a result the taller corner section of the building and the relatively tight urban grain and straight lined street pattern combine to afford the North Street elevation much less prominence in the streetscene.
- 6.18 It is considered that the lighter modern touch of the roof extension, including the glazed elevations and setback from the main front and side elevations, coupled with the low profile roofline, would preserve the integrity of the 1930's building by not attempting to replicate and create pastiche extensions which cannot follow the characteristic style identically. In this instance it is considered important that the proposed roof extension is read clearly as a separate, later and subservient addition to the original building in order to preserve the quality of the original architecture and its high aesthetic value, whilst ensuring that the new addition is of a high quality which, would still be complementary to the host building and surrounding conservation area.
- 6.19 As a result it is considered that the combination of traditional and modern styles provides a positive addition to the building. The extension would suitably preserve the fundamental character and appearance of the existing property as well as the surrounding conservation area, making a positive contribution to local character and distinctiveness in accordance with the aims of the NPPF.

- 6.20 The northern flank of the application building adjoins the side elevation of The Lamb Public House, which is Grade II listed. Given the positioning of the roof extension in relation to The Lamb, the extension would be largely screened from Market Place by the greater bulk and massing of the existing elements of application property. As a result Staff do not consider that the proposal would unduly harm the setting of the adjoining listed building.
- 6.21 The roof extension would be positioned on the third floor of the application building, on a part which lies on the opposite side of North Street to the rear of the long flank elevation of the Grade II listed Golden Lion Hotel. The new extension would not be easily viewed in conjunction with the setting of the Golden Lion, again owing to the height of the application building and relatively tight urban grain and straight lined street pattern. Nevertheless, the contemporary design of extension is considered to be of a high enough quality to contribute positively to the setting of the adjacent listed building.

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 application site is immediately flanked by The Lamb pub and other commercial premises. As is typical across Romford town centre some of the upper floors of the commercial buildings contain flats. The closest residential property in this instance appears to be the upper floor flat at 8a North Street. Given the orientation of the windows there would be no overlooking or inter-looking with front and rear windows facing away from the site.
- 6.24 As such it is not considered that the proposed development would present any undue issues in relation to residential amenity in accordance with Policy DC61 and the Residential Design SPD.
- 6.25 In terms of the amenity of future occupants; given the existing commercial uses within the area, the town centre location and the associated night time economy at nearby North Street and Market Place, any residents living in this part of the town centre can reasonably expect to experience a greater element of noise and disturbance from passers-by and general town centre activity than those living in a purely residential area. Nevertheless, to further mitigate potential noise issues several conditions will be included to ensure sufficient noise insulation measures are applied to both the commercial and residential units to protect future occupants.

Environmental Issues

- 6.26 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.27 The extension relates to the upper floors of an existing building and presents no issues in relation to flood risk.
- 6.28 The proposal is not considered to give rise to any significant noise issues that would not normally be associated with residential or commercial occupation.

Parking and Highway Issues

- 6.29 The site has a Public Transport Accessibility Level (PTAL) rating of 6a; meaning that the premises has very good access to a variety of public transport facilities. Government guidance encourages a relaxation in parking and other standards in town centre locations, particularly where there is good access to public transport and the proposal accords with this advice.
- 6.30 Due to the town centre location and limited site area the proposal would provide no accompanying car parking spaces. Nevertheless, given the central location and the very good public transport links there is no requirement for the proposed flats to provide dedicated off street residents' car parking provision.
- 6.31 The Local Highway Authority have raised no objection subject to the applicant entering into a legal agreement to prevent future occupiers from applying for parking permits. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed change of use would result in parking or highway safety issues. The legal agreement would be consistent with the other residential conversions within Romford town centre.
- 6.32 The submitted drawing indicates the anticipated positioning of a secure internal bin store and cycle store on the ground floor but no further details of this have been provided at this stage. It is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.

Mayoral Community Infrastructure Levy

- 6.33 The proposed development will create 7no. new residential units with 71 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £1,420 (this may go up or down, subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.34 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.
- 6.35 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.
- 6.36 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.
- 6.37 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.
- 6.38 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.
- 6.39 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.

- 6.40 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.41 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 £42,000 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 conservation area and setting of adjacent listed buildings, and the impact on the amenity of the future occupiers. In this instance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be required to prepare and complete the S106 legal agreement. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied

that the contribution required is compliant with the statutory tests set out in the CIL Regulations relations to planning obligations.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 19 October 2016.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

27 April 2017

Subject Heading:

P0183.17: Queens Moat House, St Edwards Way, Romford

Rooftop extension comprising 4no. self-contained flats and shared gym facility; plus, renovation works to existing building facade; and, landscaping works. (Application received 10 February 2017)

Ward:

Romford Town

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

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

Policy context:

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

Financial summary:

None

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

Havering will be clean and its environment will be cared for [X]

People will be safe, in their homes and in the community [X]

Residents will be proud to live in Havering [X]

SUMMARY

The proposal is for the construction of a roof extension to create one additional floor comprising 4no. new flats. The proposal would also involve the renovation of the existing facade of the building.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 241.4 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £4,828 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £24,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.

- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- It is resolved to grant planning permission subject to completion of the s106 agreement by 27 October 2017 or in the event that the s106 agreement is not completed by 27 October 2017 the item shall be returned to the committee for reconsideration.

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

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

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

8. Accessible and Adaptable Dwellings

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

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

9. New Plant and Machinery

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

Reason: Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use

commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

10. Noise Insulation

No building shall be occupied or use commenced until a scheme for protecting the proposed dwellings from noise from nearby restaurants and commercial premises at North Street, has been previously submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.

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

11. Water Efficiency

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

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

12. Parking Provision

Before any part of the dwelling hereby permitted is first occupied the car parking provision as indicated in drawings 'P.12.01 Rev D' and 'P.12.02 Rev E' 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.

13. 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.

14. Car Parking Management Scheme

No part of the development hereby permitted shall be occupied until details to show how car parking is to be managed within the site and spaces allocated to visitors and existing tenants has been submitted to the Local Planning Authority for approval in writing. The submission shall include details of measures to be used to manage and maintain the service road free from obstruction by parked vehicles. 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 the lifetime of the development.

Reason: Insufficient information has been submitted with the application to demonstrate how the service road that serves the development would be managed and parking controlled so as to avoid access for residents, service and emergency vehicles being restricted and the access to the electricity sub-station and flood water storage area being obstructed. The approval and provision of the management scheme is considered necessary prior to first occupation 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.

15. Road Traffic Noise Assessment

No works shall take place in relation to any of the development hereby approved until an assessment is undertaken of the impact of road noise emanating from St. Edwards Way/ North Street upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. 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 £4,828 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
5. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for

the connection of utilities. For further details on how to apply for registration see:

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the premises at Queens Moat House, St Edwards Way, Romford. This is a large detached four-storey office block located within Romford town centre.
- 1.2 The building is positioned with a prominent frontage onto the A118 St. Edwards Way and backs onto the two storey residential accommodation at Haysoms Close to the rear.
- 1.3 The land is not designated for any specific purposes in the Local Development Framework (LDF) and the site is surrounded by a mixture of uses including commercial and residential.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the construction of a roof extension to create an additional floor forming 4no. new residential flats. The accommodation would comprise 1no. one-bedroom unit and 3no. two-bedroom units.
- 2.2 The application follows prior approval consent under applications J0004.17 and J0017.16 to convert the existing ground, first, second and third floors from offices to 41no. self-contained residential flats.
- 2.3 The extension would be setback from the main elevations of the existing building and would raise the height of the main section of the building by approximately 2.4 metres. The extension would comprise a light weight modern design with a flat roof, which would match the height of the existing lift shaft overrun and plant room which projects above the height of the main building, effectively absorbing this existing feature.
- 2.4 Each of the flats would be served by partially enclosed roof terrace areas positioned along the front elevation of the extension, with a shared covered access deck to the rear. The existing internal stairwells and lift shafts would be adapted to enable internal access to the additional floor.

- 2.5 The Queens Moat House premises currently has 21no. off street car parking spaces at ground floor and basement levels. An additional 16no. spaces would be created, providing a total of 37no. off-street parking spaces. The spaces would be used by the 41no. flats previously approved under the prior approval process, as well as the 4no. new units proposed in this current application.

3. Relevant History

- 3.1 J0004.17 - Prior approval for the change of use of offices (B1a) to provide 41no. residential units (C3) arranged over ground, first, second and third floors - Granted, 3 April 2017
- 3.2 J0017.16 - Change of use of offices (class B1) to C3, to provide 32 residential units over ground, first, second and third floors - Granted, 16 December 2016

4. Consultations/Representations

- 4.1 Notification letters were sent to 110 properties and no representations have been received.
- 4.2 The following consultation responses have been received:
- London Fire Brigade Water Team - no objection.
 - London Fire and Emergency Planning Authority - no objection.
 - Environmental Health - no objection, recommended conditions relating to noise levels and noise insulation.
 - Local Highway Authority - no objection, but have requested that a S106 be provided to prevent future occupiers obtaining resident's parking permits.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC66 (Tall Buildings and Structures) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Romford Town Centre Development Framework, the Residential Design SPD, Designing Safer Places SPD,

Romford Area Action Plan (ROM13) Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.

- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

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

Principle of Development

- 6.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.3 The building was previously used for office accommodation. However, it should be noted that two recent prior approval applications have been granted consent at the site, which allow the conversion of the existing four floors of the building from office space to 41no. self-contained residential flats. As a result it is considered that the established use of the building has been changed to residential through the prior approval process. As such the current proposal would not result in the loss of existing office space.
- 6.4 In terms of increasing the height of the building to five storeys, Policy DC66 states that tall buildings of six-storeys or greater will normally only be granted planning permission in Romford Town Centre. In this case the proposal would increase the height of the building to five storeys. All tall buildings must be of a high quality design and ensure that the proposed density is suited to the site and to the wider context in terms of proportion, composition, relationship to other buildings and streets. Matters in terms of design, density and the implications for the character and appearance of the area are discussed in the Density/Layout and Design/Impact on Streetscene sections of the report.

- 6.5 The Romford Town Centre Development Framework seeks to utilise opportunities to increase the number of people living in the town centre. The Framework has been developed in line with GLA guidance on tall buildings, and takes into account Romford's particular townscape and heritage qualities. As such the Framework sets out a flexible approach for increased building heights and identifies the town centre as a suitable location for tall buildings with heights of up to 8 to 10 storeys. It goes on to advise that the objective of creating a resilient, mixed use town centre incorporating a sustainable residential community will require a step change in terms of development heights as well as leading to a greater number of 'tall buildings'.
- 6.6 On this basis the proposal is considered to be policy compliant in landuse terms, and in accordance with the general aspirations for Romford town centre in respect of increasing the height of the existing building. The proposed roof extension to provide 4no. additional residential units is therefore regarded as being acceptable in principle.

Density/Layout

- 6.7 Policy 3.4 of the London Plan 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 proposed extension would provide 4no. residential units in addition to the 41no. units in the four existing floors of the building granted through the prior approval process; providing a total of 45no. flats. As such the development would give a total density equivalent to approximately 300 dwellings per hectare. This complies with the aims of Policy 3.4 of the London Plan which suggests that a dwelling density of between 215 to 405 dwellings per hectare would be appropriate in this location.
- 6.9 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.
- 6.10 The proposed extension would provide 1no. one-bedroom unit and 3no. two-bedroom units with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and Policy 3.5 of the London Plan, and the flats would provide an acceptable amount of space for day to day living.

- 6.11 Havering's Residential Design SPD does not prescribe minimum space standards for private outdoor 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 Each of the flats would be served by partially enclosed roof terrace areas positioned on the front and southern flank elevations of the extension. The terrace areas would vary in size ranging from 14 square metres up to 70 square metres for one of the two-bedroom units.
- 6.13 Given the town centre location of the building, and the amenity areas associated with equivalent town centre accommodation, it is considered that occupants of the proposed flats would have a generous provision of outdoor private amenity space, which in this instance would be adequate for the requirements of the future occupants.

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 This section of St Edwards Way is characterised by a mixture of building types and designs. Other than Queens Moat House, the residential and commercial premises on the northern side are predominantly two storeys in height. On the southern side of St Edwards Way and directly opposite the application site is the large ten storey North House office block. There are several other taller buildings which lead out along the southern side of the road towards the roundabout junction with Mercury Gardens and Main Road. Most of the larger buildings date from the mid to late twentieth century, with each building comprising an individual appearance. In addition, immediately adjacent on both sides of Queens Moat House are smaller single and two storey buildings. As a result the office blocks and buildings include inconsistencies in terms of scale, height and bulk, with no prevailing character to their design.
- 6.16 As such the appearance and style of the proposed extension is considered to be of a sympathetic design which complements the existing building and broadly adheres to the architectural character of the surrounding area.
- 6.17 It is acknowledged that given that the nature of the proposal the roof extension would increase the prominence of Queens Moat House from the rear at Haysoms Close. However, given the sympathetic design and scale, it is considered that the massing of the extension would be absorbed into the existing bulk of the building.

- 6.18 In terms of the impact on the St Edwards Way streetscene; the extension would match the height of the existing lift shaft overrun which is sited towards the southern end of the building. As such the extension would not appear overly prominent from St Edwards Way.
- 6.19 Staff are therefore of the view that the scale of the proposed development would be acceptable, given the subservient design and appearance of the extension in comparison to the existing building, the height and massing of the surrounding buildings and the town centre location of the site.

Impact on Amenity

- 6.20 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.21 Queens Moat House is immediately flanked by commercial premises and a church hall, with the nearest residential accommodation located at Haysoms Close to the north, with a separation distance of some 18 metres away at the nearest point. The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the occupants of the Haysoms Close dwellings.
- 6.22 Any issues of overlooking and inter-looking with the closest residential properties at Haysoms Close would be mitigated due to the off-set orientation of the neighbouring properties in relation to the existing office block, with the windows facing away from the site. Nevertheless, Staff are of the view that there is already a sense of overlooking from the existing office block. This application relates to 4no. flats in the roof extension only. In addition, prior approval has already been granted for the conversion of the existing floors to residential.
- 6.23 Any impact on the Haysoms Close properties through loss of light and over-dominance would be mitigated by separation distances of over 18 metres.
- 6.24 As such it is not considered that the proposed development would present any undue issues in relation to residential amenity in accordance with Policy DC61 and the Residential Design SPD.
- 6.25 In terms of the amenity of future occupants; given the existing commercial uses within the area, the town centre location and the associated night time economy at nearby South Street, any residents living in this part of Eastern Road can reasonably expect to experience a greater element of noise and disturbance from passers-by and general town centre activity than those living in a purely residential area.

Environmental Issues

- 6.26 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.27 The extension relates to the upper floors of an existing building and presents no issues in relation to flood risk.
- 6.28 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 6.29 The site has a Public Transport Accessibility Level (PTAL) rating of 6a; meaning that the premises has very good access to a variety of public transport facilities. Government guidance encourages a relaxation in parking and other standards in town centre locations, particularly where there is good access to public transport and the proposal accords with this advice.
- 6.30 Given the central location and the good public transport links there is no requirement for the proposed flats to provide dedicated off street residents' car parking provision.
- 6.31 The Queens Moat House premises currently has 21no. off street car parking spaces at ground floor and basement levels. An additional 16no. spaces would be created, providing 37no. off-street parking spaces in total. The spaces would be used by the 41no. flats previously approved under the prior approval process, as well as the 4no. new units proposed in this current application. A condition will be included to provide further details of how the parking space allocation will be managed once the flats are occupied.
- 6.32 The Local Highway Authority have raised no objection subject to the applicant entering into a legal agreement to prevent future occupiers from applying for parking permits. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed change of use would result in any parking or highway safety issues. The legal agreement would be consistent with the earlier legal agreements completed for the recently granted prior approval applications for residential conversion in the existing floors of Queens Moat House.
- 6.33 The submitted drawing indicates the anticipated positioning of a bin store and secure cycle store but no further details of this have been provided at this stage - although it is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.

Mayoral Community Infrastructure Levy

- 6.34 The proposed development will create 9no. new residential units with 241.4 square metres of new gross internal floorspace. Therefore the proposal is

liable for Mayoral CIL and will incur a charge of £4,828 (this may go up or down, subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.35 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.
- 6.36 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.
- 6.37 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.
- 6.38 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.
- 6.39 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.
- 6.40 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.

- 6.41 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.42 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £24,000 for educational purposes would be appropriate.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the future occupiers. In this instance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 10 February 2017.

REGULATORY SERVICES COMMITTEE

27 April 2017

REPORT

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 27 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.
- 1.3 The application was previously included on the agenda for the committee meeting scheduled on 06/04/2017 but was deferred at the request of staff following concerns raised that the neighbour notification and consultation letters had not been received. Please refer 'Consultations/Representations' section of this report for further update in this regard.

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

5.0 Consultations/Representations

5.1 The Council originally sought to notify 475 properties of this application. The application was also advertised by way of site notice and press advert. No letters of public representation were received. Following publication of the committee agenda for the meeting of 06/04/2017, which this application was originally included, the Council nevertheless received a number of letters suggesting the notification letters had not been received. The Council are not aware of any issues with our IT system which generates planning notification letters. However, in the circumstances, staff sought to undertake a re-consultation with the properties directly surrounding the development site. This involved letters being re-sent to 136 addresses. A consultation letter was also re-sent to the Civic Society. At the time of writing this report no letters of representation had been received. However the consultation period does not formally end until 25/04/2017 so Members will be verbally updated should any comments 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 – Any comments received will be verbally presented.

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 Policies

- 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 accessibly 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**

REPORT

27 April 2017

Subject Heading:

P0960.16: 75 North Street, Hornchurch

Erection of a three/five storey building comprising 44 no. residential units, car parking, landscaping and other associated work (Application received 14 June 2016).

Ward

St. Andrew's

Lead Officer

Helen Oakerbee
Planning Manager

Report Author and contact details:

Suzanne Terry
Planning Team Leader
suzanne.terry@havering.gov.uk
01708 432755

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

This report concerns an application which was considered by Regulatory Services Committee in November 2016, when it was resolved to grant planning permission subject to prior completion of a S106 legal agreement and planning conditions. Since the resolution to approve, following on site preparation for construction work, some changes to the scheme considered by the Committee are proposed. The application has been brought back before Members to consider the acceptability of these changes. The revisions proposed are considered by Staff to have an acceptable impact on the development as a whole and the application is therefore recommended for approval.

RECOMMENDATIONS

It is recommended that planning permission be granted in accordance with the recommendation set out in the previous report to Regulatory Services Committee on 17th November 2016, which is appended to this report.

REPORT DETAIL

1. Staff Comments

- 1.1 The application is for the redevelopment of the site to provide 44 flats. The flats would be provided within a single block, which ranges between three and five storeys in height. The application was considered by the Regulatory Services Committee on 17th November 2017, where it was resolved to grant planning permission for the development subject to the prior completion of a legal agreement and planning conditions.
- 1.2 The detailed design process has now progressed and revised proposals have been received showing the following changes to the proposed development:
 - The removal of an existing walnut tree that was originally shown to be retained
 - An increase in the overall height of the building by 0.5 metres
 - Replacement of the fifth floor green roof with photovoltaic panels
 - Minor reconfiguration of the northern car park.
- 1.3 The application is brought back before Committee as these represent a change to the development considered by the Committee previously.

Neighbours have been notified of the amendments to the scheme and Members will be advised if any representations are received as a result of this.

- 1.4 In terms of the acceptability of the changes, the proposed increase in height is considered to have a minor visual impact on the streetscene. The increase is due to the raising of finished floor levels to connect to existing services. It is judged that the increase in height is marginal and the visual impact on the development barely discernible. It is considered that the building would still fit comfortably between the existing neighbouring buildings, without any material harm to the character and appearance of the streetscene. No materially different impact on amenity will occur. The proposed alterations at roof level to replace the green roof with photovoltaic panels will not have any material impact on the visual appearance of the development and the applicant has confirmed that the surface water drainage strategy remains unchanged. The reconfiguration of the north car park is minor in nature and does not materially change the car park design or number of parking spaces.
- 1.5 The proposal now involves the loss of a walnut tree within the site, which it was originally proposed to retain. The applicant has provided an updated arboricultural report, which confirms that the proximity of the tree to the building would affect its health during construction works and also require substantial long term pruning that would have a significant impact on its long term health. As such the applicant considers the tree could not be retained. Staff consider that long term prospects of the walnut tree would be affected by the development. No objection is raised in principle to the loss of the tree, which is not covered by a protection order, and it is noted that a replacement tree is proposed in a similar location. Staff are satisfied that this provides adequate mitigation and the loss of the tree is acceptable.
- 1.6 The impact of the proposed amendments upon the scheme as a whole are considered to be small scale and not to materially affect the acceptability of the proposals as a whole or to adversely affect local character or amenity. It is therefore recommended that the development be approved as per the previous recommendation, which requires prior completion of a legal agreement and planning conditions, and is set out in the appended report.

IMPLICATIONS AND RISKS

Financial Implications and risks:

As set out in the appended report

Legal Implications and risks:

As set out in the appended report

Human Resource Implications:

As set out in the appended report

Equalities and Social Inclusion Implications:

As set out in the appended report.

BACKGROUND PAPERS

1. Planning application P0960.16 received 14 June 2016; revised plans received 28 March 2017.



REGULATORY SERVICES COMMITTEE

17 November 2016

Subject Heading:

Ward

Lead Officer

Report Author and contact details:

Policy context:

Financial summary:

REPORT

P0960.15: 75 North Street, Hornchurch

Erection of a three/five storey building comprising 44 no. residential units, car parking, landscaping and other associated work (Application received 14 June 2016).

St. Andrew's

Helen Oakerbee
Planning Manager

Suzanne Terry
Planning Team Leader
suzanne.terry@havering.gov.uk
01708 432755

Local Development Framework
The London Plan
National Planning Policy Framework

None

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

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

SUMMARY

This application has been submitted by Mercury Land Holdings. This is a private development company established by the Council but which is entirely separate from the function of the Council as Local Planning Authority and therefore does not have any material bearing on the planning considerations relating to this application.

The application is for redevelopment of the site to create 44 residential units, in a single part five storey, part three storey block. The proposal is considered to be acceptable in all material respects, including design and layout, impact on neighbouring amenity and local character, environmental impacts and parking and highway issues. It is recommended that planning permission is granted.

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 £76,838.00. This is based on the creation of 3841.9m² of new gross internal floor space.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement to secure the following:

- A financial contribution of £264,000 to be used towards educational infrastructure costs
- To provide the Private Rented Sector (PRS) units for a minimum of 15 years and not to allow occupation of any the units for use other than PRS during that time period
- Not to dispose of any of the Private Rented Sector (PRS) units free from any of the restrictions, terms and obligations in the S106 Agreement within a Clawback Period of up to 15 years without undertaking a Disposal Viability Appraisal to determine whether it is viable to pay an Affordable Housing Contribution. Where the Disposal Viability Appraisal indicates that

it is viable to pay an Affordable Housing Contribution the applicant to pay such identified contribution to the Council.

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

That the Assistant Director of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant 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 Development Control Policies Development Plan Document Policy DC61.

3. Car parking - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

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

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

5. 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 – Before the development hereby approved is first occupied, refuse storage facilities shall be provided on site in accordance

with the details shown on drawing no. 1542_N_PL_100 Revision D and set out in Section 7.3 of the Design and Access Statement dated June 2016 and retained permanently thereafter in accordance with the approved details.

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 LDF 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. 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.

9. External 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.

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

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

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

The submission will provide;

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

Reason:-Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the

interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

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

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

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

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

13. 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: 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.

- 14. Contaminated Land (2) - a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.
 - b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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

- 15. Air Quality – 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 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 and to accord with Policy DC52 of the Development Control Policies Development Plan Document.

16. Licence to alter Public Highway: - No development shall commence on site unless and until the Local Planning Authority has approved a scheme of works for the proposed alterations to the public highway; and no occupation of the development hereby approved shall take place until the approved scheme of works has been implemented by or on behalf of the applicant in full in accordance with the Local Planning Authority's written approval and has been certified as complete on behalf of the Local Planning Authority.

Reason: Insufficient information has been submitted with regard to the proposed alterations to the public highway. Submission of this detail prior to commencement will be in the wider interests of the travelling public and are maintained and comply with policies CP10, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

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. Children's Play Area: - The development hereby approved shall not be occupied until a children's play area has been provided on the site, in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority. The play area shall be retained thereafter in accordance with the approved details.

Reason: In order to ensure the provision of adequate play facilities for children occupying the development and to accord with the provisions of Policy 3.6 of the London Plan.

19. Ecology - The development hereby approved shall be carried out in accordance with the recommendations set out in Section 6 of the Ecological Assessment by Middlemarch Environmental dated May 2016. Particular regard shall be paid to recommendation R3 with regard to mitigating the impact of the development on nesting birds.

Reason: To ensure that the development has an acceptable ecological impact and to accord with Policy DC58 of the Development Control Policies Development Plan Document.

20. Accessible/Adaptable Homes - At least 4 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.

21. 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.

22. Tree Protection Measures:-The development hereby approved shall not commence until details of measures to protect the retained trees during the course of development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Insufficient information has been submitted to ensure that the trees to be retained are not harmed during the course of the development. Submission of the details prior to commencement will enable protection of the trees, in the interests of visual amenity and to accord with Policy DC60 of the Development Control Policies Development Plan Document.

23. Piling: - No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to

contact Thames Water Developer Services n 0800 009 3921 to discuss the details of the piling method statement.

24. Energy: - Prior to occupation, 'as-built' BRUKL outputs prepared under the Standard Assessment Procedure (SAP) should be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved details set out in the submitted Sustainable Design Construction Statement & Energy Strategy Report. If the development is unable to meet the required reduction in CO2 emissions through the approved energy strategy, then the development shall not be occupied until any shortfall has been provided off-site or through a cash in lieu contribution to the Council as set out in the London Plan, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order that the development complies with Policies 5.2 and 5.3 of the London Plan.

25. SuDs – The development hereby approved shall not be occupied until the proposed drainage strategy has been implemented in accordance with the SuDs and Flood Risk Assessment Report from XC02 Energy submitted as part of the application.

Reason: - Surface water drainage works are required on site to prevent the risk of flooding. The measures detailed in the drainage strategy are considered to be technically sound and need to be implemented as part of the development to ensure that it accords with Development Control Policies Development Plan Document Policies DC49 and DC61.

Informatives:

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the applicant and planning agents. The revisions involved relocating the proposed servicing layby. The amendments were subsequently submitted on 20 July 2017.
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 £76,838.00 (this figure may go up or down subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.
3. In aiming to satisfy conditions 7, 8 and 9 the applicant should seek the advice of the Metropolitan Police Designing Out Crime Officers (DOCOS). The services of the Police DOCO's are available free of charge and can be

contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety conditions.

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. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover.
6. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will take to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 35779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.
7. 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. If new or amended access is required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

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. 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.

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. Site Description

- 1.1 The application site is located on the western side of North Street. The site is currently cleared and vacant, but was formerly occupied by a social club. The site includes an area of grass verge to the south, adjacent to Theatre Road.
- 1.2 The site lies within the boundaries of the Hornchurch Major District Centre. It is also adjacent to the Langtons Conservation Area. The character of the surrounding area is mixed. The Queens Theatre lies to the immediate south

of the site, across Theatre Road. To the north, the site is bounded by a flatted block, Menthone Place. The Billet Lane car park lies to the west of the site, with residential properties to the east of the site, on the opposite side of North Street

2. Description of Proposal

2.1 The application is for redevelopment of the site to provide 44 flats. The flats would be within a single, brick built block that ranges between three and five storeys in height. The building would front on to North Street and this frontage part of the development would be five storeys high, with the three storey section located behind this, towards the western side of the site. The development would have two parking areas – one located to the northern side of the site, accessed from North Street, providing 32 car parking spaces; the other located to the southern side of the site, accessed from Theatre Road, providing 10 parking spaces. A total of 42 parking spaces are provided. Cycle storage will be provided for within the building.

2.2 The site will incorporate an existing area of grass verge and will involve the loss of some existing trees. Replacement landscaping and an amenity area will be provided for within the proposals. There are 11 no. 1 bed units and 33 no. 2 bed units within the development, four units are wheelchair accessible. The building is of modern appearance, external materials are indicated to be red brick, with glazed intersecting balcony features and glazed balustrades, with dark grey finish to the window frames

3. History

3.1 F0003.12 Prior approval request for the proposed demolition of 75 North Street – prior approval given.

4. Consultation/Representations

4.1 The development has been advertised on site and in the local press as a major development and as it is adjacent to a conservation area. Neighbour notification letters have also been sent to 222 local residents. Additionally, the applicant carried out a public consultation event in advance of submitting the application. 7 letters of representation have been received, objecting to the proposals on the following grounds:

- Building is too tall
- Design is not imaginative enough
- Loss of trees
- Parking and traffic issues
- Loss of light and privacy
- Lower part of the building should front North Street, not taller part
- Additional pressure on schools, surgeries and transport infrastructure
- Parking survey disregards parking demand from theatre-goers and other residents during the evening
- Parking already reduced by the hoarding round the site but not taken

into account

- Should be better access to sub-station
- Should be common refuse access to this and Menthone Place
- No provision for visitor parking so will result in overspill
- Impact of construction works
- Loss of privacy from facing windows and balconies
- Sub-station in need of upgrade
- Lighting and electric gates should be sensitive to noise and glare
- No masts or adverts should be allowed on the building
- Tenants should be restricted with what can be kept on balconies
- Any outdoor smoking area should be out of sight and kept clean.

It should be noted that issues relating to the access to the sub-station and construction works are not material planning considerations. Details of lighting and boundary treatment can be required by condition. No external smoking areas are proposed. Proposals for masts on the building or adverts are controlled by other areas of planning legislation. It would be for the owners of the building to determine whether any restriction can be imposed on the use of the balconies. Other material planning considerations raised will be covered elsewhere in the report.

- 4.2 The Designing Out Crime Officer recommends conditions relating to crime prevention matters if permission is granted.
- 4.3 Thames Water comment with regard to surface and ground water drainage and impact on public sewers. A condition is also recommended with regard to piling.
- 4.4 Historic England advise the proposal should be determined in accordance with national and local policy guidance and on the basis of LBH specialist conservation advice.
- 4.5 Environmental Heath request conditions requiring submission of contaminated land assessments and air quality management if permission is granted.
- 4.6 The Fire Brigade is satisfied with proposals for Fire Brigade access and water supply and that no new hydrants will be needed.
- 4.7 Lead Local Flood Authority have reviewed the proposal and advise that the Flood Risk Assessment and SuDs layout is acceptable.
- 4.8 Waste and Recycling team have no objections.
- 4.9 Highways have no objections subject to conditions relating to visibility splays, alterations to the highway and vehicle cleansing
- 4.10 Energy Management – satisfied with the submitted report and suggest recommendations within secured by condition.

5. Relevant Policy

- 5.1 The National Planning Policy Framework, specifically Sections 1, 4, 6, 7 and 12.
- 5.2 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 facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing on individual private residential and mixed use schemes), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.15 (water use and supplies), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.12 (road network capacity), 6.13 (parking), 7.2 (in inclusive environment), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.21 (trees and woodlands), 8.2 (planning obligations) and 8.3 (community infrastructure levy) of the London Plan, as well as the Mayor's Housing SPG and the Mayor's Play and Informal Recreation SPG.
- 5.3 Policies CP1, CP2, CP9, CP10, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC60, DC61, DC63, DC68, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD).

In addition, the Technical Appendices to the Planning Obligations Supplementary Planning Document (SPD), Residential Design SPD, Heritage SPD, Landscaping SPD, Protection of Trees During Development SPD and Designing Safer Places SPD are material considerations.

6. Staff Comments

- 6.1 The issues arising from this application are the principle of development, the density and layout of the new development and the impact of its design, scale and massing on the character and amenity of the locality, the quality of the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues, affordable housing provision and the impact on community infrastructure.

7.2 Principle of Development

- 7.2.1 The application site was previously occupied by a single storey building used as a social club. The building was demolished some time ago, following the giving of prior approval for demolition in 2012. As such, any community use on the land has been long extinguished and it is considered

that redevelopment for residential purposes is acceptable in principle, and accords with Policy CP1 of the Local Development Framework (LDF), the provisions of the London Plan and the National Planning Policy Framework (NPPF).

7.3 Density and Site Layout

7.3.1 With regard to Development Control Policy DC2, this site has a PTAL of 3 and is in an urban part of Hornchurch, where a density range of between 50 and 120 units per hectare, depending on local character, applies. The application site has an area of 0.32 hectares and proposes 44 new dwellings. This equates to a development density of 137.5 units per hectare. This is broadly within the range specified in Policy DC2 and considered acceptable in principle

7.3.2 The development proposes a development of one and two bedroom units. The proposals have been assessed against the minimum space standards for new dwellings, as required by Policy 3.5 and set out in Table 3.3 of the London Plan. The minimum requirement for a 1 bed, 2 person flat is 50 square metres and a 2 bed, 4 person flat is 70 square metres. The requirements are met in all cases and each unit also has storage space in compliance with policy. The proposals are required to be built to current standards of accessibility and adaptability to comply with relevant Building Regulations standards. The proposals have a lift that is stated to be fully accessible and the development is indicated to be designed in compliance with Part M of the Building Regulations. The proposal will also provide 4 of the units as wheelchair adaptable. A planning condition requiring compliance with the relevant Building Regulation standard is recommended. A planning condition is also recommended with regard to water efficiency to comply with Policy 5.15 of the London Plan.

7.3.3 The development is considered to be well laid out within the site. The building is sited so as to respect the building lines set by the neighbouring Menthone Place to the north and Queens Theatre to the south. The footprint of the building retains a sense of spaciousness around the block, setting it in from the edges of the site and arranging the building to make maximum benefit of the south facing side of the site. The site has two points of vehicular access, one from the northern end of the site off North Street and one at the southern end, off Theatre Road. This is considered to be acceptable in terms of layout and accessibility to the building entrance. The building entrance faces directly on to North Street, which gives the development better legibility in the streetscene and contributes to creating an active frontage.

7.3.4 Each of the upper floor flats has access to a private balcony. Balconies to the one bed flats are at least 6 sq.m. and those for two bed flats range from 7.2 sq.m. to 9.4 sq.m. Ground floor units have patio doors leading out to individual paved terraces, with privacy and defensibility created by way of the landscaping arrangements, which include the provision of boundary hedges. The development includes the provision of a communal amenity

area to the southern side of the building, covering a total area of around 270 sq.m. The Mayor's child play space calculator indicates that the development would create an estimated child yield of around 4 children. This would require the provision of an area of play space of some 35.3 square metres within the site, which can be accommodated. Paragraph 4.26 of the Mayor's Play and Informal Recreation SPG states that an appropriate financial contribution to play provision within the vicinity of the development should be made for developments with an estimated child occupancy of fewer than 10 children. If it cannot be made towards on-site provision then an equivalent contribution should be made to an existing or off site provision. It is judged that as sufficient space exists within the site no off site contribution is necessary. The landscaping proposals submitted with the application indicate consideration has been given to the provision of playspace, with thought given to surfacing materials and outdoor seating, although the quality and functionality of the 'play' element for young children could be improved. It is recommended that full details of the play area and facilities provided should be secured through condition.

7.3.5 There are currently a number of trees on the application site, the most notable of which is a large sycamore situated at the south-eastern corner of the site, which is very prominent in the North Street streetscene. There is also an oak tree, of reasonable amenity value, adjacent to the western boundary of the site. The application proposes the removal of these trees along with a number of others from within the site. An arboriculture assessment has been submitted with the application, which indicates the oak and the sycamore are the trees of greater significance within the site, as the other specimens have been damaged by past management, limiting their future potential or are of lower retention value.

7.3.6 Members will wish to note in particular the loss of the sycamore and oak tree from the site. Staff consider that the loss of these trees will have a significant impact upon the existing visual amenity of the site, the sycamore in particular having a notable visual impact in the wider streetscape. These trees are not subject of a tree protection order and it is a matter of judgement for Members as to whether the loss of these trees is considered to be acceptable and whether the replacement planting proposed is considered to provide adequate mitigation for the tree loss. Concerns regarding the loss of the sycamore were raised with the developer, who have responded that the sycamore severely constrains the development opportunities for this site, given its size and the extent of the root protection area, particularly given that it is located to the southern side of the development, where it is preferable to locate balconies and amenity areas, and the greater amenity value of the site lies. If the building were moved further north it would create relationship issues with habitable rooms windows in Menthone Place and have significant implications for the provision of parking. Staff have assessed the landscape proposals submitted with the application and judge these to be acceptable, although full details would be required by condition. As mitigation for the loss of the trees, the proposed landscaping indicates an avenue of tree planting (field maple) along the southern boundary of the site, around 7 trees in total, in

addition to other landscaping and tree planting in the site, the retention of an existing walnut tree to the southern side of the site and retention of trees and landscaping that are outside the northern boundary of the site. These trees are judged to provide a suitable replacement, although clearly it will take considerable time for them to reach a size that adequately mitigates against the shorter term visual harm.

7.3.7 On balance, and as a matter of judgement, Staff consider that overall the proposal provides much needed new homes, in a good quality development, that subject to the implementation of a high standard of landscaping, as envisaged in the submitted landscaping proposals, could be considered to justify the loss of trees from the site. It is recognised however that this is a matter for Members consideration.

7.3.8 An ecological assessment based on a Phase 1 habitat study has been undertaken. The study found little potential impact on protected species but makes recommendations with regard to construction works, in particular to mitigate impact on nesting birds from removal of trees, impact on hedgehogs and removal of invasive plant species. It is recommended that a condition be imposed requiring the development to be carried out in accordance with the recommendations of this report.

7.3.9 The development has been designed to take into account crime prevention measures. This is evident in matters such as layout and initial proposals for boundary treatments. It is however recommended that if permission is granted this be subject to conditions relating to submission of full details of boundary treatments, lighting of the site and cycle storage arrangements.

7.4 Design and Visual Impact

7.4.1 The proposed development is within a single block, five storeys high to the site frontage on to North Street, reducing to three storeys high. In terms of scale, the building is judged to sit comfortably between the existing flatted development to the north, Menthone Place, and Queens Theatre to the south. The height of the block to the North Street frontage is transitional between the buildings either side and considered to work well within the wider streetscene and be appropriate to a town centre location. The building is set back from the site frontage and is judged to respect the existing building lines in North Street, whilst preserving longer range views along North Street. The stepping down of the building towards the western side is judged to give a scale that is more appropriate when seen from Billet Lane and from across the adjacent car park.

7.4.2 In terms of appearance, the development is of a simple yet modern design. The building is primarily of brick construction, envisaged as a single red brick type. There will be sections of horizontally laid brick across the external elevations that will add visual interest and break up the elevations. The focal corners of the building are articulated with an intersecting balcony feature, with glazed balustrading, that is considered to provide an interesting focal point to the building. The development has full height

double glazed windows and doors, finished grey, and a white concrete portico around the main entrance. Overall the building is judged to have an attractive appearance that, subject to securing the use of high quality external materials, will make a positive contribution to the locality.

7.4.3 The site lies adjacent to the Langtons Conservation Area, which encompasses Queens Theatre to the south of the site and also extends to the western side of the site. The proposed development has been designed to be of a scale which does not compete with the Queens Theatre or appear overly dominant from Billet Lane, to the west of the site. The development is well set in from the boundaries of the site and, as such, is not judged either by scale or siting to adversely affect the character or setting of the adjacent conservation area or the buildings within it. Whilst the building is of modern appearance, the focus on the use of the more traditional red brick, has been developed with reference to materials commonly found within the conservation area, for example the red brick and detailing at Langtons House. Given also the range of building types in the locality, Staff are satisfied that the proposal does not have any adverse impact on the adjacent conservation area

7.5 Impact on Amenity

7.5.1 The closest residential properties to the application site are the flats at Menthone Place, located directly to the north of the application site. There are habitable room windows located in the southern elevation of this building that would be affected by the proposal. The proposed new flats are around 21.5m from the northern boundary of the site, with a flank to flank separation distance of around 30m from the Menthone Place flats. Given the distances involved, it is not considered the proposed new building would be unacceptably intrusive or result in undue overlooking/interlooking, despite the balcony arrangements. No undue overshadowing of the adjacent building is judged to result owing to the separation distances and location of the development to the south of the block.

7.5.2 There are residential properties on the eastern side of North Street that face across the highway towards the application site. Given the separation distances, across the public highway, it is not considered that the development gives rise to a materially overbearing impact or any direct loss of privacy. A sunlight/daylight report has been submitted with the application, detailing the potential for light loss to the properties opposite the site. The report demonstrates that, in the main, these properties would retain levels of sunlight and daylight that are very close to, or only marginally below the recommended standards. Only a ground floor, front bay window to no.66 North Street would incur loss of light falling more substantially below recommended levels. It is however noted that the affected window is a three-pane bay window. Each pane has been tested independently and although each window individually would fall below recommended levels, taking the combined level of daylight received through the bay window as a whole, it is judged that this room would still

receive adequate interior daylight. As a matter of judgement, it is not considered that the impact on this window is so severe as to constitute material grounds for refusal.

7.5.3 It is considered that the building would not have a material impact on Queens Theatre, given the non-residential nature of this building. The development is also judged to be sufficiently separated from the nearest properties in Billet Lane not to materially harm amenity.

7.5.4 The residential nature of the development is suited to the locality and would not give rise to undue noise and disturbance. There is considered also to be reasonable boundary treatment that would prevent any harm from the functioning of the proposed car park. In conclusion, no material harm to amenity is considered to result from the proposals.

7.6 Environmental Issues

7.6.1 The application site is located in Flood Zone 1, so not considered to be at risk from flooding. A flood risk assessment and SuDs statement has been submitted with the application. It is considered that the proposal makes adequate provision for the management of surface water run off through SuDs, through measures such as permeable paving and soft landscaping, raingarden planters and harvesters from roof run off with overflow storage tanks.

7.6.2 Planning conditions are recommended to require the submission of appropriate contaminated land reports

7.6.3 An Air Quality Assessment report is also required to be submitted to identify the impact on local air quality and mitigation measures. This can be secured through condition.

7.6.4 An Energy Statement has been submitted with the application and indicates that the proposal can meet with the London Plan standards that applied at the time the application was submitted. The recommendations of the Energy Statement should be secured by condition.

7.6.5 Historic England (GLAAS) advise that the proposal is unlikely to have significant effect on assets of archaeological significance and therefore raise no objections to the proposal.

7.7 Parking and Highway Issues

7.7.1 The site is currently used for car parking, following the demolition of the social club that formerly stood on the site. There are around 27 spaces currently that would be lost as a result of the development. However, there are a number of other car parks in the immediate locality that are judged to be a suitable alternative for this car park – these include the Sainsbury car park, Billet Lane and Keswick Avenue car parks. Parking surveys have been undertaken to assess local demand for the car parks, both on a

midweek day and on a Saturday, and found the car park to be used at far less than full capacity. The other three car parks in the vicinity provide 549 parking spaces and surveys indicated that these retain some spare capacity that would help to offset the impact of the loss of the parking spaces. Although the car parking surveys provide a limited snapshot, there is no reason to believe that the survey findings are atypical, and Staff therefore consider they give a reasonably sound indication of levels of parking demand and availability in the vicinity of the site. It is therefore concluded that the loss of the parking spaces is unlikely to be detrimental to the functioning of the town centre and can be accepted in principle.

7.7.2 The application site has a PTAL of 3, indicating a good level of accessibility to sustainable modes of travel. The site is within an urban location, where Policy DC2 accepts 1.5 to 1 space per unit, with potential for less than 1 space per unit dependent on local character. Table 6.2 of the London Plan 2016 sets out maximum parking standards for residential development. It provides that in urban areas, where the PTAL is between 2 and 4, parking should be provided at up to 1.5 spaces per unit as a maximum. Given the density of the development, at 137.5 units per hectare and the fact that all units are one and two bedroom, the London Plan indicates further that in such cases parking provision should be less than 1 space per unit. The proposed development provides a total of 42 parking spaces for a 44 unit development. Given the town centre location of the development, the parking provision is considered to be sufficient to meet the needs of the development and Highways have raised no objection to the proposals.

7.7.3 In terms of impact on road capacity and junctions Highways have no objections to the proposals. The proposals have been revised since initial submission to re-site the location of a servicing lay-by onto North Street, which will be used by refuse vehicles and for general servicing of the development. Highways and Streetcare have been consulted on these revised proposals and raise no objection in terms of refuse collection and servicing arrangements. The proposal will not affect the loading bay in Theatre Road, although some on street parking may be lost. The existing recycling facilities will also require re-siting. A secure refuse storage area will be provided within the building to serve the development, within the required bin collection distances from the layby. Highways have requested conditions relating to visibility, wheelwashing and alterations to the highway that will be imposed.

7.7.4 The Fire Brigade raised no concern with regard to access for appliances or for water supplies.

7.8 Affordable Housing

7.8.1 The development is for a total of 44 units. It is proposed that all of these units will be provided as private rented homes. Whilst private rented sector (PRS) development, which is expected to be well managed and providing high quality rental units, adds to the range of housing types available in the Borough, it is not judged to constitute affordable housing and therefore

consideration must still be given as to whether the development can support the provision of affordable housing, in line with the London Plan and LDF policies. The applicants have submitted a financial viability toolkit in support of their contention that the scheme cannot sustain any affordable housing.

7.8.2 Independent assessors have reviewed the toolkit and quantity surveyors have also been appointed to review the build costs cited within the toolkit. The build costs are judged to be reasonable in this case for the nature of the scheme proposed and, as such, the Council's independent assessors are satisfied that the development is not sufficiently viable to support any affordable housing. PRS units are supported in principle by Policy 3.8 of the London Plan and the Mayor's Housing SPG and there is recognition that the planning system should take a more positive approach in enabling this sector to contribute to the achievement of housing targets. Paragraph 3.3.5 of the Mayor's Housing SPG makes reference to covenanted schemes to ensure that schemes are secured as private rent for a fixed period and paragraph 3.3.6 suggests such covenants are necessary where the distinct economics of build to rent lead to reduced viability in terms of meeting affordable housing (and other S106) requirements. In view of the absence of affordable housing, it is considered that there should be a requirement for the units to stay as private rent for at least 15 years, which can be secured by S106 Agreement. As the viability of the development can be affected by the PRS model, it is also judged appropriate that the viability of the development should be reappraised if there were any move to dispose of the units as market housing in the future. This is effectively a 'clawback' mechanism to recoup the loss of affordable housing and it is suggested this should also cover a 15 year period to accord with the covenanted period and guidance set out in the Mayor's Housing SPG.

7.8.3 Given also that the development is proposed as a PRS scheme, which is expected to provide a particularly well managed and maintained form of housing, it is considered that a management plan should be secured through legal agreement. Members may also consider it reasonable to require a marketing strategy, which could give priority to those residents that live or work within the Borough when marketing and identifying tenants for the scheme.

7.9 Infrastructure

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

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

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

7.9.8 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £264,000 for educational purposes would be appropriate. Such contribution should be secured by legal agreement.

8. The Mayor's Community Infrastructure Levy

8.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee has been calculated based on the internal gross floor area of the proposed development of 3841.9m², which equates to a Mayoral CIL payment of £76,838.00 subject to indexation

9. Conclusion

9.1 The proposed residential development on the site is acceptable in principle. The proposed development is considered to be well laid out and of suitable scale, mass, design and appearance. The proposal is judged not to be detrimental to local character, including that of the adjacent conservation area, or materially harmful to amenity, although it does present judgement with regard to the loss of trees from the site and the acceptability of the resultant visual impact. The proposal is not considered to have any materially harmful highway impacts. The proposal has been demonstrated unable to viably provide affordable housing, although Members will note that the scheme is intended to provide high quality private rental accommodation, which will add to the range of accommodation types available in the Borough. Provision for infrastructure contributions to meet education needs can also be secured by legal agreement. Having regard to all material considerations it is recommended that, subject to prior completion of a legal agreement to secure the infrastructure provisions and also relating to the provision, retention, quality and marketing of the PRS units provided, that planning permission is granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

The application has been submitted by Mercury Land Holdings. This is a private development company established by the Council. Mercury Land Holdings is entirely separate from the function of the Council as Local Planning Authority and has no bearing on the planning considerations relating to this application.

Legal Implications and risks:

The applicant is Mercury Land Holdings, which as mentioned above, is a separate development arm of Havering Council. This has no material bearing on the consideration of this planning application.

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

Human Resource Implications:

None.

Equalities and Social Inclusion Implications:

Planning applications are determined with full regard to equalities issues. The application responds to these issues by providing a range of housing types, with regard to the need for housing for people with disabilities and life time homes criteria, thus meeting a range of community needs.

BACKGROUND PAPERS

1. Planning application P0960.15, received 14 June 2016.