



Havering

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

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
26 October 2017**

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

Members 11: Quorum 4

COUNCILLORS:

**Conservative
(5)**

Robby Misir (Chairman)
Philippa Crowder
Melvin Wallace
Roger Westwood
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 - 4)

To approve as a correct record the minutes of the meeting of the Committee held on 5 October 2017 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 5 - 32)

- 6 **P1384.17 - BRIDGE POINT, SOUTHEND ARTERIAL ROAD, HORNCHURCH** (Pages 33 - 42)
- 7 **P1172.17 - LAND TO THE REAR OF YORK HOUSE** (Pages 43 - 64)
- 8 **P1058.17 - 195-205 NEW ROAD & 1-9 CHERRY TREE LANE** (Pages 65 - 96)
- 9 **P0782.17 - 21 NEW ROAD, RAINHAM** (Pages 97 - 126)
- 10 **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
5 October 2017 (7.30 - 8.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Philippa Crowder,
Melvin Wallace, Roger Westwood and +John Crowder

Residents' Group Stephanie Nunn and Reg Whitney

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

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

An apology for absence was received from Councillor Michael White.

+Substitute members: Councillor John Crowder (for Michael White).

Councillors Joshua Chapman, Ron Ower and Damian White were also present for parts of the meeting.

5 members of the public were present.

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

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

324 **MINUTES**

The minutes of the meeting held on 21 September 2017 were agreed as a correct record and signed by the Chairman.

325 **P1225.17 - 8 ROWAN WALK, HORNCHURCH**

The application before Members was a re-submission of a previously refused application for an erection of a front extension and front veranda.

Members noted that the application had been called-in by Councillor Damian White on the grounds of overdevelopment of the site and the impact on the neighbours in respect to a loss of privacy and light.

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

The objector commented that the application was one of a number that had been applied for by the applicant. The objector also commented that the applications would eventually convert the property into a six-bedroom dwelling. The objector concluded by commenting that the re-submission would not alleviate previous concerns of the proposed extension being of an overbearing and obtrusive nature.

With its agreement Councillor Damian White addressed the Committee.

Councillor White commented that the applicant was looking to extend the property from three bedrooms to six bedrooms by a mixture of permitted development and several small applications. Councillor White concluded by commenting that combined the applications would be an overdevelopment and intensification of the site and would be out of character with the existing streetscene.

During the debate members discussed the overall effect of the various applications and their combined effect.

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

The vote for the resolution to grant planning permission was carried by 9 votes to 0 with 2 abstentions.

Councillors Martin and Williamson abstained from voting.

326 **P0610.17 - HIGHWAYS DEPOT, 423 RAINHAM ROAD**

The Committee considered the report, noting that the application complied with the London Plan and therefore did not need to be referred back to the Mayor for London and **RESOLVED** that planning permission be agreed subject to the conditions as set out in the report.

327 **P0726.17 - 149-153 NEW ROAD, RAINHAM**

This report before Members proposed an outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 14 units (a mixture of 1, 2 and 3-bedroom residential units) with ancillary car parking, landscaping and access.

During the debate Members discussed the parking provision on site and in surrounding roads and the suitability of the proposed building in the existing streetscene.

Following a motion to defer consideration of the report, which was lost on the Chairman's casting vote.

The Committee noted that the development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

As this was an Outline application, CIL would be assessed and applied when a reserved matters application was submitted.

It was **RESOLVED** that the Assistant Director of Development be authorised to enter into any subsequent legal agreement or other appropriate mechanism to secure the requirement of Condition 30 below, including that:

- 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 was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That planning permission be granted subject to the conditions as set out in the report and to include the following amendment to Condition 30:

Before the development hereby permitted was commenced, the landowner should enter into a suitable legal agreement (such as a S106 agreement) or other appropriate mechanism that ensured, to the satisfaction of the local planning authority, the performance of the following obligations.

Reason: The development would otherwise be unacceptable if the obligations sought were not able to be secured.

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

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

Chairman

Regulatory Services Committee

26 October 2017

Application No.	Ward	Address
P0716.17	Romford Town	29-33 Victoria Road, Romford
P1226.17	South Hornchurch	Beam Park, Former Ford Assembly Plant Site, New Road, Rainham
P1311.17	Pettits	Edgewell, 20 Brook Road, Romford

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 26th October 2017

APPLICATION NO. P0716.17
WARD: Romford Town **Date Received:** 4th May 2017
Expiry Date: 31st October 2017

ADDRESS: 29-33 Victoria Road
ROMFORD

PROPOSAL: Demolition of the existing building and erection of two replacement front and rear blocks comprising a total of 35no. residential units and a ground floor commercial unit with a flexible use as A1 retail/ A2 financial and professional services/ A3 restaurant and cafes/ B1 office/ D1 non-residential/ D2 assembly and leisure.

DRAWING NO(S): D1000, D4100, D1700, D1701,
D4100 REV 14, D4101 REV 07,
D4702 REV 02
D4105, D4500 REV 03, D4501 REV 02
D4700 REV 05, D4701 REV 05,
D4104 REV 09, D4105 REV 08,

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

CALL-IN

The application has been called-in to committee by Councillor Frederick Thompson on the grounds that he believes the proposal would reduce the housing shortage and would not be too tall for its location.

BACKGROUND

The application was deferred at the meeting on 24 August 2017, as Members wished for Staff to undertake further discussions with the applicant in relation to viability; specifically in order to resolve if any on-site affordable housing provision can be agreed in addition to the required education contribution.

To recap: In terms of contributions, Havering's position is that the development must provide a S106 payment of £210,000 (£6,000 per residential unit) to fund the creation of additional school places in the local planning area. The London Plan and Havering's emerging Local Plan suggest that an on-site affordable housing provision of up to 35% of the total number of units would be required. A policy compliant scheme would therefore provide the S106 payment in full and as near as possible to 35% on site affordable housing units.

The initial viability statement set out the applicant's position that no affordable housing could be provided as part of the development.

An independent appraisal of the viability statement suggested that without the necessary S106 payment of £210,000, an affordable housing capital payment of up to £262,000 could be justified. However, the education obligation is a policy requirement and does not amount to an exceptional cost. This contribution amount should be factored into the overall land value and calculations, and

as such does not provide sufficient mitigating circumstances to outweigh the lack of affordable housing provision. At the previous meeting Staff explained to Members that this offer would be unacceptable and would not meet the Council's policy requirements for the delivery of affordable homes.

Following the deferral of the application in August 2017, the applicant's viability consultants have re-appraised the viability of the scheme. According to the revised viability statement the applicant is now proposing a contribution payment of £50,000 towards affordable housing and £210,000 for S106 education payments. This is in addition to a £36,000 contribution for highway works within 1 mile of the proposed development for the purposes of walking and cycling improvements.

It is Staff's view that the £50,000 offer towards off-site affordable provision would be derisory in terms of affordable housing delivery and as such would be contrary to policy. To provide some context to this figure colleagues in Housing have advised that on average the cost to deliver one affordable unit would be approximately £288,000. It is important to note that this is still a conservative estimate and could transpire to be much higher due to the uplift in costs associated with Romford town centre.

The applicant's re-appraisal statement contends that Havering's education contributions are unlawful under the statutory test of Regulation 122 of the CIL Regulations. The report then goes on to state that if the Council were to agree that the £210,000 education contribution does not meet the statutory tests, and therefore the payment not be sought, a sum of £262,000 could be provided towards affordable housing along with the £36,000 Highways contribution.

This second offer would provide no financial contribution to fund the creation of additional school places and is therefore unacceptable. The affordable housing payment would also be insufficient.

Staff maintain Havering's position that the education contribution being sought is lawful. In accordance with the regulations the contribution would not be pooled with more than four other separate contributions, and a series of local schools within the Romford primary planning area and the Central secondary planning area have been identified and set out as the benefactors of the contribution. The financial contribution would therefore be justified to facilitate the expansion of these specific identified schools.

Havering, in common with the many other London Boroughs and urban areas, is currently experiencing an increase in demand for school places. This increase in demand is due to rising birth rates in Havering and families moving into the borough from other parts of London, the UK and abroad.

All Local Authorities, including Havering, have a statutory duty to ensure that there are enough school places available in the borough to accommodate all children who live in the borough and might require one. The increase in demand for school places has meant that in some areas of Havering the demand for places is higher than the number of places available. In order to ensure that the Council fulfils the statutory duty to ensure Havering has enough school places, the School Organisation Team have already consulted on and successfully implemented expansions at most schools in the borough through the Primary Expansion Programme. But there continues to be sustained and increasing demand for school places,

As a consequence, the S106 education contribution is a necessary requirement from all new developments that will generate additional children and will go towards the cost of creating the additional school places needed for those children generated as a consequence of new housing in the borough.

The School Organisation Team have applied the Essex child yield model, which uses average child yields, to establish that the proposed development would generate the following number of pupils in each school phase:

Early Years: 4

Primary: 11

Secondary: 5

It is important to note that the cost per place figures for early years, primary and secondary as calculated by the Department For Education (DFE) for Havering are £11,800, £16,495 and £21,444 respectively. It should also be highlighted that these figures are significantly higher than the already heavily discounted contribution amount of £6,000 per new residential unit.

In terms of need, the School Organisation Team advise that Havering is already projecting a deficit of school places in the area where the proposed development is located. As such the developer should make a financial contribution towards the cost of creating the additional school places required in order to take on the children accommodated by this development.

The application site is located in the Romford primary planning area and the Central secondary planning area. The school roll projections for the Romford primary planning area project the following:

2017/18: deficit of -37 school places;

2018/19: deficit of -26 school places;

2019/20: deficit of -57 school places;

2020/21: deficit of -66 school places.

The school roll projections for the Romford Central secondary planning area project the following:

2017/18: surplus of 39 school places;

2018/19: deficit of -91 school places;

2019/20: deficit of -170 school places;

2020/21: deficit of -220 school places;

2021/22: deficit of -225 school places;

2022/23: deficit of -366 school places.

It is therefore clear that that the Council is facing a severe shortfall of school places within the local area, and that securing the financial contributions to mitigate the additional pressure is an essential and necessary requirement.

The report set out below is the same as that previously presented to Committee on 24 August

2017.

SITE DESCRIPTION

The application relates to the premises at 29-33 Victoria Road, Romford. This is a 0.14 hectare area with a depth of 62 metres and a width of 22.5 metres. The site faces south onto Victoria Road, Romford and lies to the immediate south of the raised section of railway lines to the east of Romford Station. The site is located some 50 metres to the west of the junction of Victoria Road with Thurloe Gardens.

The site comprises a flat roofed part single, part two-storey office building currently in use as a probation centre. To the east is 35 Victoria Road which is a three-storey office building with an estate agency on the ground floor facing onto Victoria Road, behind this is a single storey building with a dual pitched roof and which is used for storage. To the west is a yard with a flat roofed double height workshop at the rear of the plot backing onto the railway.

The site is located within Romford Town Centre adjacent to commercial and industrial/ storage uses and the surrounding area is characterised by predominantly by a mixture of commercial uses with residential accommodation at upper floor levels.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the demolition of the existing building and erection of two replacement front and rear blocks comprising a total of 35no. residential units. The accommodation would include 15no. one-bedroom flats, 17no. two bedroom flats, and 3no. three-bedroom flats.

As part of the proposal a ground floor commercial unit would also be included on the Victoria Road frontage with a flexible use as an A1 retail/ A2 financial and professional services/ A3 restaurant and cafes/ B1 office/ D1 non-residential/ D2 assembly and leisure.

The proposed development would be arranged with a five-storey block occupying the site frontage facing onto Victoria Road and then a six-storey block positioned towards the rear of the site adjacent to the railway line. The topmost floor of both of the blocks would be set back creating a roof terrace area.

Pedestrian and vehicular access to the rearmost block would be via an access road through the easternmost part of the ground floor of the five-storey building. The area between the two buildings would provide a communal amenity area.

RELEVANT HISTORY

J0015.16 - Prior approval for the change of use of offices (Class B1a) to residential use to form 1no. studio unit, 5no. one-bedroom units, 3no. two-bedroom units and 2no. three-bedroom units.

Prior App COU Given 28-11-2016

P0723.13 - Changes to window and door openings on side and rear elevations
Apprv with cons 05-09-2013

- P0421.08 - Proposed portacabin unit on the existing flat roof to the rear of the office.
Refuse 25-06-2008
- P1093.01 - Forecourt parking for 7 cars (1 disabled parking bay) and crossover to public footpath
Apprv with cons 28-09-2001
- P0406.96 - Change of use to Community Service Unit for the North East London Probation Service
Apprv with cons 16-08-1996
- P0973.92 - Change of use of ground floor from retail to B1 offices and erection of first floor and two storey rear extensions (revised description)
Apprv with cons 08-10-1992
- P0234.92 - Change of use from ground floor retail & first floor offices to A2
Apprv with cons 23-04-1992
- P1394.91 - Change of use of ground floor from retail to B1 office use
Apprv with cons 02-04-1992
- P1392.91 - Change of use of ground floor from retail to B1 offices and erection of first and second floor extensions to form additional B1 offices
Apprv with cons 02-04-1992

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 101 properties and 4 representations have been received. This includes 3 letters setting out the following concerns and objections:

- Noise, dust, disturbance and disruption during construction.
- The proposal may prejudice the regeneration and redevelopment of the adjoining sites due to isolation without consideration of development in conjunction with adjoining sites.
- The proposal underutilises the site and prejudices future redevelopments.

1 letter of support has been received, which states that:

- The proposed proposals will substantially enhance the area.

Thames Water - no objection.

Essex Water - no objection.

National Grid - no objection.

Nation Grid Gas - no objection.

Network Rail - no objection

Metropolitan Police Designing Out Crime Officer - no objection, recommended the inclusion of a condition requiring the incorporation of Secured by Design principles into the development.

Greater London Archaeological Advisory Service - no objection.

London Fire Brigade Water Team - no objection.

London Fire and Emergency Planning Authority - satisfied with the proposals with regard to the ground floor commercial unit. However, access to the residential upper floors and the rear block is in doubt. There should be access for a pump appliance to get within 45 metres of all points in each dwelling. If this cannot be achieved then a fire main should be installed and access provided for a pump appliance to within 18 metres of the inlet to the main which should be visible from the appliance. There would be limited working space for fire-fighters around the vehicle in the proposed central courtyard area. There should be a fire hydrant within 90 metres of the inlet to a fire main.

Romford Civic Society - object to the proposal on the grounds that there would be a lack of suitable green spaces and play areas within the vicinity for future residents.

Streetcare - no objection.

Environmental Health - no objection, recommended conditions relating to contaminated land, noise insulation, and a road noise assessment.

Local Highway Authority - Local Highway Authority - no objection, subject to the applicant entering into a S106 agreement to restrict future residents from obtaining car parking permits.

RELEVANT POLICIES

LDF

CP01 -	Housing Supply
CP02 -	Sustainable Communities
CP17 -	Design
DC02 -	Housing Mix and Density
DC03 -	Housing Design and Layout
DC06 -	Affordable Housing
DC07 -	Lifetime Homes and Mobility Housing
DC32 -	The Road Network
DC33 -	Car Parking
DC34 -	Walking
DC35 -	Cycling
DC36 -	Servicing
DC49 -	Sustainable Design and Construction
DC50 -	Renewable Energy
DC55 -	Noise
DC61 -	Urban Design
DC63 -	Delivering Safer Places
DC72 -	Planning Obligations
SPD01 -	Designing Safer Places SPD
SPD09 -	Residential Design SPD
SPD10 -	Sustainable Design and Construction SPD
SPD11 -	Planning Obligation SPD

OTHER

- LONDON PLAN - 2.15 Town Centres
-
- LONDON PLAN - 3.10 Definition of affordable housing
-
- LONDON PLAN - 3.11 Affordable housing targets
-
- LONDON PLAN - 3.12 Negotiating affordable housing on individual private residen
-
- LONDON PLAN - 3.13 Affordable housing threshold
-
- LONDON PLAN - 3.3 - Increasing housing supply
- LONDON PLAN - 3.4 - Optimising housing potential
- LONDON PLAN - 3.5 - Quality and design of housing developments
- LONDON PLAN - 3.7 - Large residential developments
- LONDON PLAN - 3.8 - Housing choice
- LONDON PLAN - 5.13 Sustainable drainage
-
- LONDON PLAN - 6.10 Walking
-
- LONDON PLAN - 6.13 Parking
-
- LONDON PLAN - 6.5 - Funding Crossrail and other strategically important transpor
- LONDON PLAN - 6.9 - Cycling
- LONDON PLAN - 7.3 - Designing out crime
- LONDON PLAN - 7.4 - Local character
- LONDON PLAN - 8.2 - Planning Obligations
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development would create 35no. new residential units with 2,029 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £40,580 (subject to indexation) based on the calculation of £20.00 per square metre.

STAFF COMMENTS

The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby dwellings, and the amount of affordable housing provision.

PRINCIPLE OF DEVELOPMENT

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

In terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres. The NPPF and Policy DC11 generally requires the redevelopment of non-designated commercial sites for residential

use.

The ground floor element would provide opportunities for a range of commercial uses helping to ensure the building creates an active frontage at ground floor level. This will aid in enhancing the vitality of the town centre in accordance with policy DC16.

Retaining a commercial use at ground floor level and introducing residential use at first floor level would therefore be considered acceptable in principle, subject to scale, layout and detailed design considerations.

DENSITY / SITE LAYOUT

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.

The proposal would provide 35no. residential units at a density equivalent to approximately 233 dwellings per hectare. This complies with the aims of Policy 3.4 which suggests that a greater dwelling density of between 140 to 290 dwellings per hectare would be appropriate in this location.

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

The proposed dwellings would meet the internal floor space standards for the relevant number of rooms and occupants. The bedrooms would also comply with the minimum requirements set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed development would be in accordance with the general principles of the technical housing standards and the flats would provide an acceptable amount of space for day to day living.

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

The proposed dwellings would be served by an 127 square metre communal garden area in the central courtyard. In addition each of the flats would have a private balcony ranging in size from between 1.9 square metres up to 4.8 square metres. The ground floor flats in the rear block would also have enclosed garden terrace areas. The top floor flats on each block would also benefit from private roof terrace areas.

Whilst the internal spacing of the dwellings appears to accord with the technical guidance and the balcony and terrace sizes are considered on balance to be relatively suitable in terms of size; little consideration has been given to the wider living environment and how the development minimises the potential harm from the non-conforming neighbouring uses in order to ensure a high quality living environment for future occupants. This issue is discussed further in the 'Amenity' section of

the report.

The proposal represents the piecemeal redevelopment of a single plot set adjacent to several other parcels of land which line the north of Victoria Road. As such one of the overarching issues for this site is land assembly. Any development of the scale and layout proposed would need to be undertaken as part of a comprehensive and coherent redevelopment of the northern side of Victoria Road. It is not considered that the proposed development could be achieved in isolation from the other plots without causing significant harm to the character of the area.

Under the current proposal the adjacent buildings would be left behind and the development would sit in the context of the lower level industrial and commercial environment forming an incongruous and overbearing development. The layout, height and massing of this development would establish a built form which would restrict the future redevelopment of neighbouring plots. In this case the design, appearance and layout is not considered to be of particular distinction and would fail to integrate well with the adjacent plots, representing prejudicial single phase development which would hinder the wider aspirations for the future regeneration of Victoria Road. This approach would prejudice the strategic ambition of the Romford Development Framework and the emerging Local Plan, which seeks to create attractive high quality housing developments in Romford town centre.

DESIGN / IMPACT ON STREET / GARDEN SCENE

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

The proposed blocks would form extremely prominent features in terms of their visual impact, both individually and as a pair. In terms of massing the buildings would be of considerable scale and bulk, when viewed from various vantage points within Victoria Road, serving to dominate the streetscene and tower above the adjacent buildings. As a result the design and appearance of the proposed development is considered to be problematic and harmful to the character and appearance of the surrounding area.

The central courtyard sections of the development would also be dominated by the scale and height of the adjacent buildings hardstanding and car parking bays creating a very poor visual outlook for residents living in the rear block. Overall, the visual impression when entering the site would be dominated by buildings and hard surfacing such that the scheme would comprise an uncharacteristically enclosed and cramped form of development.

Whilst there could be a scale, design and quantum of development which might be appropriate for this site it is not considered that the layout and scale of the blocks proposed would be compatible with the character of the local setting. The location of the dwellings in close proximity to the site boundaries with light industrial premises and the resultant cramped and confined constraints this places on the buildings and their setting within the site would serve to emphasise the cramped and uncharacteristic nature of the development.

As a result it is considered that the proposed development, by reason of its scale, bulk and massing, combined with the excessive depth and heights of the buildings, and positioning close to the flank boundaries, would form an incongruous and unacceptably dominant, and visually

intrusive feature within this section of Victoria Road.

Consequently it is considered that the proposed development would be harmful to visual amenity and would therefore fail to maintain or enhance the character and appearance of the local area contrary to the provisions of Policy DC61.

IMPACT ON AMENITY

The site is flanked to the east and west by premises comprising light industrial and warehouse uses. The nearest residential accommodation to the east lies some 27 metres away at Mercury Court and 20 metres to the west at 23 Victoria Road, both located on the other side of the immediately adjacent industrial sites. There is also residential accommodation located to the south however, these properties are located on the opposite side of Victoria Road with a separation distance of over 25 metres.

The main consideration in terms of residential amenity relates to the impact on the future occupants of the proposed dwellings.

Whilst the internal spacing of the dwellings appears to accord with the technical guidance and the balcony and terrace sizes are considered on balance to be relatively suitable in terms of size; little consideration has been given to the wider living environment and how the development minimises the potential harm from the non-conforming neighbouring uses in order to ensure a high quality living environment for future occupants.

The main concern in this regard is the tight relationship to the boundaries and close-knit arrangement of the blocks and their positioning within the site, which would be oppressive to future residents, particularly those occupying the flats in the lower floor levels. The central court yard area and rear strip of amenity land adjacent to the railway would suffer from overshadowing and a lack of daylight due to the sheer scale of the proposed buildings.

The residential entrance to the flats in the front block would be located in the undercroft area and residents of the rear block would have to negotiate the undercroft tunnel and cross a relatively small courtyard flanked by 5 storey buildings to the north and south, an unrelieved wall to the east and a double height warehouse wall to the west. As such this would create an oppressive and domineering environment for future occupiers, with the development lacking a sense of place for those arriving on foot.

In addition the proximity of the rear block to the railway line would also result in a poor quality outlook and living environment for future occupiers.

HIGHWAY / PARKING

Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) of 6a, meaning that the site offers an excellent degree of access to surrounding public transport reducing the requirement for off street car parking provision at the site and as such invokes a low parking standard, limiting the requirement for off street car parking provision.

The scheme can demonstrate off street car parking provision for 4no. off street accessibly parking

bays, which would be associated with the use of the ground floor commercial unit.

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 and that the provision of £36,000 shall be paid prior to the first occupation of no more than 75% of the dwellings and to be used by the Council for highway works within 1 mile of the proposed development for the purposes of walking and cycling improvements. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed development would result in parking or highway safety issues. The legal agreement would be consistent with the other residential developments within this area.

OTHER ISSUES

AFFORDABLE HOUSING

The proposal results in development for which an affordable housing provision is required in accordance with the National Planning Policy Framework and the London Plan. Policies CP2 and DC6 set out a borough wide target of 50% of all new homes built in the borough to be affordable. The London Plan and Havering's emerging Local Plan suggest that an affordable housing provision of up to 35% would now be acceptable.

In this instance a supporting Viability Statement has been submitted with the application which states that no affordable housing can be provided as part of the development. An independent appraisal of the Viability Statement suggests that without the necessary S106 payment of £210,000, an affordable housing capital payment of up to £262,000 could be justified. However, the education obligation is a policy requirement and does not amount to an exceptional cost. This contribution amount should be factored into the overall land value and calculations, and as such does not provide sufficient mitigating circumstances to outweigh the lack of affordable housing provision.

The revised viability proposals and S106 offer is also considered not to be policy compliant in terms of affordable housing offer.

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, £24000 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 £210,000 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

The proposed development, by reason of its scale, bulk and massing, combined with the excessive depth and heights of the buildings, and positioning close to the flank boundaries, would form an incongruous and unacceptably dominant, and visually intrusive feature within this section of Victoria Road.

In addition the proposal, by reason of the cramped relationship to the boundary and proximity to

the adjacent commercial premises and railway line, would result in an oppressive and domineering development creating a poor quality environment for future occupiers.

The proposal also makes no allowance for the provision of affordable housing contrary to policy.

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

The development is considered to be contrary to the provisions of Policy DC61 and the Residential Development SPD. Therefore 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 - Streetscene

The proposed development, by reason of the scale, bulk and massing, combined with the excessive depth and heights, and positioning against the flank boundaries of the site, would form an incongruous and unacceptably dominant, and visually intrusive feature. As such the development would fail to maintain or enhance the character and appearance of the area and would appear as an unacceptably dominant, overbearing and visually intrusive feature in the Victoria Road streetscene. The proposal would therefore be contrary to Policy DC61 of the Local Development Framework Development Plan Document and the Residential Design SPD.

2. Reason for Refusal - Living Environment

The proposed development would, by reason of the cramped relationship to the site boundaries and the proximity to the adjacent commercial premises and railway line, result in an oppressive and domineering development, giving rise to an inadequate setting and outlook. As such the proposal would create a poor quality living environment to the detriment of the amenity of future occupiers. The proposed development is therefore contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.

3. Reason for Refusal - Layout

The proposed development would, by reason of its design and layout, establish a built form which would restrict the future redevelopment of neighbouring plots and prejudice the comprehensive redevelopment of the adjoining sites. The development would therefore give rise to poor quality isolated and piecemeal development which would undermine the wider aspirations for the site and surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

4. Reason for Refusal - Affordable Housing

In the absence of a contribution to the Council's affordable housing target the proposal is contrary to the provisions of Policy DC6 of the LDF Core Strategy and Development Control Policies DPD, Policy 3.11 of the London Plan, and Policy 4 of Havering's emerging Local Plan.

5. 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 - After Negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reasons for it was given to the agent Billy Pattison, via email on 23/6/17. Following the resolution at committee on 24/8/17 to defer the application, the viability of the scheme has been reassessed. However, Staff still consider that the proposal would be unacceptable and would not meet the Council's policy requirements for the delivery of affordable homes. Notification of the intended refusal and the reasons for it were again given to the agent Billy Pattison, via email, on 12/10/17.

2. Refusal and CIL (enter amount)

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £40,580. Further details with regard to CIL are available from the Council's website.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 26th October 2017

APPLICATION NO. P1226.17
WARD: South Hornchurch **Date Received:** 27th July 2017
Expiry Date: 26th October 2017

ADDRESS: Beam Park
Former Ford Assembly Plant Site
New Road (A1306)
Rainham

PROPOSAL: Application for enabling works to prepare site for development, including clearing of on-site structures, addressing contamination, importation and positioning of crushed material on site for up to 9 months (preventing future settlement), localised piling and installation of band drainage.

DRAWING NO(S): 448-PT-MP-PL-1115 Rev P01 : Site Location Plan, Enabling Works
11336/5039 P3 : Beam Park Upfill and Surcharging Sketches
11336/5040 P3 : Victor Site Upfill and Surcharging Sketches
11336/8106 P3 : Phase 1, Extent of Surcharging
11336-8105 P3 : Phase 1, Sucharging Cross Sections
11336/8110 P1 : Phase 1, Surcharging Spot Level Variation

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

SITE DESCRIPTION

The application site comprises 7.46 ha of land to the south of the A1306 New Road, to the east and west of Marsh Way and north of the HS1/C2C railway corridor. The land forms part of the wider Beam Park site which extends further to the west and into Barking and Dagenham. The site previously formed part of the Ford Motor Company site used as an assembly plant and for the open storage of cars. The Marsh Way flyover oversails part of the site.

The site is clear of structures but is largely covered with hardstanding and currently lies vacant. The site is identified as the location of Phase 1 of the proposed redevelopment of the site the subject of hybrid planning application P1242.17 which has yet to be considered by Committee. The site sits within flood zone 3. The vegetation on the site comprises predominantly self-set scrub.

The wider surrounding area is urban in nature and is characterised by residential land uses of the north of the A1306 and industrial land uses to the south.

DESCRIPTION OF PROPOSAL

The proposal is intended as the first stage in preparing the site for any future development, given that the site is underlain by peat which is a compressible material.

The first stage of the proposed works would be the removal of the existing reinforced slab and any underlying foundations and underground structures to provide a clear platform for the later stages and future development. Any contaminated hotspots would be removed at this stage. Excavated concrete would be processed and reused as fill material subject to certification that such materials

are clean and suitable.

The second stage would involve the installation of a grid of band drains at 1.5m centres. These are prefabricated vertical drains which are permeable and aid with the settlement of the ground by the removal of water upwards to the surface. A 150mm granular layer would then be spread over the surface through which the water expelled from the band drains can drain to a perimeter French drain and collection points. Water would be tested prior to final discharge, subject to the necessary consents from the Environment Agency.

Following this, additional fill (surcharge) material is to be brought to the site and spread over the designated area to up to the level required to provide suitable development platforms for future development, plus the calculated surcharge load required. The total depth of fill material proposed is 1.9 - 2.2m. The total volume of material to be brought onto the site would amount to approximately 87,000 cubic metres, representing about 9,150 lorry loads over an 18 week period. The works would then monitored for a period of around 6 months to check on the settlement progress. Once the settlement has been validated surplus surcharge fill material can be removed and stored off-site or moved onto the next phase of development.

Access to the site would be direct from Thames Avenue via the A1306 New Road with lorry route shown to be via Marsh Way turning left onto New Road and left down Thames Avenue, just west of the Borough boundary.

RELEVANT HISTORY

P1242.17 - Cross boundary hybrid planning application for the redevelopment of the site to include up to 2,900 homes (35% affordable); two primary schools and nurseries (Use Class D1); railway station; up to 4,110sqm of supporting uses including retail, healthcare, multi faith worship space, leisure, community uses and management space (Use Classes A1, A2, A3, A4, A5, B1, D1 and D2); energy centres; open space with localised flood lighting; public realm with hard and soft landscaping; children's play space; flood compensation areas; car and cycle parking; highway works and site preparation/ enabling works - Under consideration

CONSULTATIONS / REPRESENTATIONS

The application has been advertised by way of a site notice and by publication of a notice in the local paper. 85 neighbouring residents and premises have also been notified. No letters of representation have been received

Cadent / National Grid - Advise of the presence of plant and apparatus and the precautions and notifications that are required.

Environment Agency - No objection, conditions requested

Essex and Suffolk Water - no objections

Historic England (Archaeology) - Advise that no condition is required as the necessary works are being undertaken at present in consultation with Historic England.

LBH Environmental Health - request contaminated land and air quality conditions

LBH Emergency Planning - query what impact the band drainage will have on the overall site drainage when future development is complete.

LBH Streetcare (Highways) - no objections

Natural England - Express concern at the potential effects on the Inner Thames Marshes SSSI and Ingrebourne Marshes SSSI. Evidence is requested to demonstrate that the drainage proposed through the substrate layer will not provide a hydrological pathway for pollutants to reach the protected sites.

Transport for London - Request a condition to require a Construction Logistics Plan. The level of car parking for staff during the construction period is also queried with the request that it be kept to a minimum and the use of sustainable means of transport encouraged.

Response: Evidence has been provided to Natural England which has satisfied their concerns about the potential impact upon protected sites. LBH Environmental Health have subsequently confirmed that the submitted Construction Environmental Management Plan will address their requirements in relation to air quality and dust management.

RELEVANT POLICIES

LDF

- CP18 - Heritage
- DC32 - The Road Network
- DC33 - Car Parking
- DC36 - Servicing
- DC41 - Re-Use and Recycling of Aggregates
- DC51 - Water Supply, Drainage and Quality
- DC52 - Air Quality
- DC53 - Contaminated Land
- DC55 - Noise
- DC58 - Biodiversity and Geodiversity
- DC61 - Urban Design
- SPD03 - Landscaping SPD
- SPD07 - Protecting & Enhancing the Borough's Biodiversity SPD
- SPD08 - Protection of Trees During Development SPD
- SPD10 - Sustainable Design and Construction SPD

SSA11 - Beam Park

OTHER

LONDON PLAN - 5.21 Contaminated land

-

LONDON PLAN - 6.10 Walking

-

LONDON PLAN - 6.13 Parking

-
LONDON PLAN - 6.9 - Cycling
LONDON PLAN - 7.8 - Heritage assets and archaeology
NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

No floorspace is proposed so there are no Mayoral CIL implications.

STAFF COMMENTS

The key issues to be considered are the principle of the development and the impact of the various stages of the proposed works on the environment, amenity and highway.

PRINCIPLE OF DEVELOPMENT

The application site is identified in both the LDF Site Specific Allocations DPD and the Rainham and Beam Park Planning Framework as a key site in the regeneration of the wider London Riverside and the Housing Zone area with the potential to deliver much needed housing, a new railway station, a new local centre and other associated development.

Site investigation and geological records show that significant parts of the site are underlain by peat which is a compressible material. The surcharging of the site by placing a temporary load upon it is therefore an essential pre-requisite to prevent future settlement following the eventual development of the site.

DENSITY / SITE LAYOUT

The required level of fill to achieve the necessary settlement of the ground have been carefully calculated and no more than 2.2m depth of infill material is to be deposited in any part of the site. Following settlement it is anticipated that a 750mm depth of material will need to be removed from the site to leave the level of the site at that which it is proposed to develop upon. It is not considered that this level of fill will appear unacceptable.

IMPACT ON AMENITY

The closest residential properties to the site are located on the northern side of New Road over 40m away at its closest point. The amenity impacts from the development would arise from additional traffic movements and the break out and deposit of materials. Such impacts would be addressed by the measures set out in the Construction Environmental Management Plan. Measures included in the Management Plan include:

Hours of working 8am to 6pm Monday to Friday, 8am to 1pm Saturday, no working on Sundays and Bank Holidays
Sweeping of internal roads
Dust suppression equipment employed
Wheel wash facilities
Use of silencers on machinery

The total period of works is anticipated to be 25 weeks followed by up to 6 month settlement period. Subject to adherence to the submitted management plan, it is considered that the proposal

would not amount to such material impacts to justify refusal of planning permission.

HIGHWAY / PARKING

During the period when the upfill material is being brought onto the site it is estimated that there will be 113 two way lorry movements to and from the site. The appointed logistics manager would be responsible for ensuring that these are distributed over the working day, but with movements in the morning and evening peak hours being discouraged. On this basis it is assumed that there will be approximately 11 HGV arrivals per hour as a maximum. No objection is raised to this level of movement which can be accommodated within the normal operation of the highway network, although a condition is recommended to ensure that HGV's use the route from the A13/Marsh Way junction rather than through Rainham.

Conditions to require details of worker car and cycle parking are suggested.

OTHER ISSUES

In relation to drainage and flooding, the proposed works are temporary and the upfill material will be free draining. Much of the site is covered with hardstanding which will be broken out and processed as the first stage of the proposed development. The removal of this impervious layer will improve the free drainage of the site and reduce run-off rates.

There is a high pressure gas pipeline which runs through the site. The location of this is to be marked on the ground in consultation with the National Grid/Cadent and no fill material will be deposited over it.

LAND CONTAMINATION

A full land contamination assessment has been submitted with the application and a remediation strategy is incorporated within this. Any hotspots of contamination will be dealt with prior to the importation of fill material. Subject to the imposition of suitable conditions no objections are raised and the proposal is compliant with Policy DC53 - Contaminated Land.

KEY ISSUES / CONCLUSIONS

Staff are satisfied that the proposed works are an essential prerequisite in enabling the future development of the site. No material or significant adverse impacts are anticipated and it is recommended that planning permission be granted.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

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

Reason:-

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

2. 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. SC22 (Hours of working) ENTER DETAILS

No work shall be carried out on the site or any vehicles enter the site other than between the hours of 0800 and 1800 Mondays to Fridays, between the hours of 0800 and 1300 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

4. Lorry Routeing Measures

Before the any of the surcharging material is first brought onto the site, measures shall be introduced to ensure that HGV's access the site via the A13/Marsh Way junction and use the A1306 only for the section between Marsh Way and Thames Avenue in accordance with a scheme which shall previously have been submitted to and approved in writing by the Local Planning Authority, thereafter such measures shall be remain in place for the duration of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason:-

To ensure that disruption from HGVs is minimised, in the interests of residential amenity and free flow of traffic.

5. SC05 (Parking standards)

Before the development hereby permitted is commenced, provision shall be made within the site for workers car parking in accordance with a scheme which shall previously have been submitted to and approved in writing by the Local Planning Authority, thereafter such provision shall be made available for use during the construction phase of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason:-

To ensure that reasonable car parking accommodation is made available for workers in the interest of highway safety.

6. SC59 (Cycle Storage)

The development hereby permitted shall not be 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 beretained for the duration of the construction phase of the development.

Reason:-

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

7. Contamination 1

The development hereby approved shall be carried out in accordance with the risk assessment, options appraisal, remediation strategy and recommendations set out in the RSK Environmental Site Assessment Report 28474 R06 (00) October 2017.

Any changes to these components require the express written consent of the local planning authority.

Following completion of the measures identified in the remediation strategy referred to above a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer term monitoring of contaminant linkages, maintenance, including timetables 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 future development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

8. Borehole decommissioning

Prior to the spreading of any fill material a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to each phase of development being brought into use.

Reason:-

Insufficient information has been submitted with the application to demonstrate how boreholes are to be decommissioned. The condition is required to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework and Position Statement G1 - Direct Inputs to Groundwater from The Environment Agency's approach to groundwater protection March 2017 Version 1.0 <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

9. Unidentified contamination

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 contamination will 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 that 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 future development from potential contamination.

10. Non Road Mobile Machinery

Prior to the commencement of the development hereby approved, the developer or contractor must be signed up to the Non Road Mobile Machinery (NRMM) register and comply with all necessary registration requirements for the duration of the development.

Reason:-

Inadequate information has been supplied with the application to demonstrate that all NRMM used on the site will as a minimum meet the requirements of Stage IIIA of EU Directive 97/68/EC.

11. Fill removal time limit

Within two years of the final surcharging upfill levels reaching those set in the approved plans as set out on page 1 of this decision notice, any surplus material over and above the final approved post settlement levels shall be removed from the site.

Reason:-

To ensure that the Local Planning Authority retain control and that there is no permanent excess of fill material deposited on the site.

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 - 26th October 2017

APPLICATION NO. P1311.17
WARD: Pettits **Date Received:** 14th August 2017
Expiry Date: 30th October 2017

ADDRESS: Edgewell
20 Brook Road
ROMFORD

PROPOSAL: Single Storey Side Extension

DRAWING NO(S): Location Plan
SK01 - Block Plan as Existing
SK12a - Elevations as Proposed
SK03 - Elevations as Existing
SK02 - Floor Plan as Existing
SK11a - Floor Plan as Proposed

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

CALL-IN

This application has been called in to committee by Councillor Osman Dervish. This application was called in as Councillor Dervish believes the proposal will not have a detrimental impact upon the street scene or amenity. He has also called the application in on the grounds of precedent as well as adding to the conservation area.

SITE DESCRIPTION

A two storey, detached, residential dwelling finished with a painted brick exterior. The site includes a detached garage on the south west side and also offers a generous area of hardstanding at the front of the property which provides additional on site parking for multiple vehicles. Behind the garage is a detached utility room.

The subject property is a 1934 Exhibition House which is designed in an Art Deco style. Its distinct appearance forms an important, integral part of the Gidea Park Conservation Area within which it is located. No trees would be affected by the development.

The surrounding area comprises mainly large, detached, residential properties.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey side extension.

RELEVANT HISTORY

- P1521.07 - Conversion of garage into games room
Apprv with cons 23-10-2007
- P0988.02 - Conversion of garage into games room
Apprv with cons 30-07-2002

CONSULTATIONS / REPRESENTATIONS

Letters were sent to 13 neighbouring properties. No objections were received.

Neither the Environmental Health department or the Street Management team raised any concerns with the proposal.

Place Services (Historic Buildings Consultant) expect the works will undermine the original character of the exhibition house as it does not sufficiently retain the original design features of the building and inserts incongruous design features.

The Gidea Park and District Civic Society strongly urge a refusal in this instance as the proposal does not protect or enhance the original facade of the house. The works will not regain sufficient semblance of the original design and the scheme may result in a loss of amenity to neighbouring residents.

RELEVANT POLICIES

LDF

- DC33 - Car Parking
- DC61 - Urban Design
- DC68 - Conservation Areas
- SPD02 - Heritage SPD
- SPD04 - Residential Extensions & Alterations SPD

OTHER

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

MAYORAL CIL IMPLICATIONS

Not CIL liable.

STAFF COMMENTS

In addition to the impact of the development on the Gidea Park Conservation Area, staff must also consider the effect of the development on the street-scene and surrounding environment and the amenity impacts.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 (Urban Design) requires that development complements or improves the character of the area through its appearance, materials used, layout and integration with surrounding land and buildings. Policy DC68 (Conservation Areas) states that planning permission for development within a Conservation Area will only be granted where it preserves or enhances the character or appearance of the Conservation Area.

The dwelling is one of the 1934 Exhibition Houses in the Gidea Park Conservation Area. While staff appreciate that the property has been altered in the past, the existing, detached garage

structure is a sympathetic addition to the original property which reflects the simple, elegant design, materials and proportionality associated with this Art Deco style dwelling. It is visually separated from the dwelling by an archway feature.

Staff consider that the proposed development will introduce an alien element to the building. The development is considered to be incongruous with the existing character as it will diminish the prominence of the principle elevation and obliterate the sense of separation when observed from the street scene. The garage extension springs directly from the flank wall of the building and flush with the main front facade and is judged to appear disproportionate and detrimental to the original character and appearance of No.20 itself, as well as having a detrimental impact upon the wider Conservation Area.

While officers are not against the principle of amalgamating the garage with the dwelling, there are reservations about the appearance of amalgamation. Each dwelling is unique and it's the small details which contribute to the overall character of the building and the setting of the conservation area. The loss of the existing archway detail and the appearance of a loss of separation between the dwellinghouse and the extension are considered to be a significant detrimental loss.

The out of keeping appearance is also judged to be detrimentally prominent when viewed from the rear of the site. Officers have considered the scale and bulk of the extension, the fact that it wraps partly around the property's rear elevation and does not appear to resemble the design or fenestration of the remainder of the dwelling. The rear elevations of Exhibition properties are also of importance as they form part of the intrinsic character of the building and the proposal is considered detrimental to this.

While staff have considered recent nearby development, it cannot be argued that previously approved schemes within the area present a comparable impact. Officers do not believe a precedent has been set which would justify such a substantial change to the principle elevation of such a architecturally valuable property. In any event the existence of a poor precedent should not be considered as a justification for further poor design and resultant adverse impact within the street scene.

Similarly, although the extension to the rear of No.22 extends into the rear garden environment, this property is not an exhibition house and does not carry as much weight from a heritage perspective.

It is considered that the design of the extension does not complement or improve the character of the house or preserve or enhance the character of the Conservation Area. The benefit to the applicant (to provide additional internal floorspace), does not outweigh the harm identified to this Exhibition property. For the reasons given above it is considered that the proposal does not comply with Policy DC61 or Policy DC68.

IMPACT ON AMENITY

The neighbouring property at No.22 Brook Road features its own outbuilding on the other side of the boundary which will mitigate a large portion of the extension's depth. An electricity sub station divides the properties in question towards the front of the proposal. The depth sought is akin to that of the neighbouring conservatory and will be further mitigated by the substantial vegetation on and

around the site. Not only does the dense foliage lining the rear garden contribute to further screening in this direction, the significant separation distance between the two dwellings (approximately 4.5m) will lessen the impact to the neighbouring residents further still.

Staff note how the overall height of the side extension will be marginally higher than the garage and utility buildings (approximately 0.6m), the scale is not significant enough to be deemed excessively detrimental in this instance. What is more, officers have acknowledged how the development will sit further from the boundary when compared with the structures it will replace.

Officers have also acknowledged how the proposed extension will be sited on the north-eastern boundary of No.22. This favourable orientation means the development will not generate a significant loss of sunlight or overshadowing which would contribute to a material loss of light to the residents of this neighbouring dwelling. As such, staff do not regard the proposed rear extension will significantly impact upon the residents of No.22.

Due to the location and scale of the works, the development is not expected to impact on the level of amenity currently afforded to the residents of No.18 Brook Road.

In light of the above, it is considered the proposal would not unacceptably impact on the amenity of the adjacent neighbours.

HIGHWAY / PARKING

Sufficient parking would remain onsite.

KEY ISSUES / CONCLUSIONS

The proposals are considered to undermine the original character of the Exhibition house by not sufficiently retaining original design features and introducing non-related design features. As these design features form part of the special interest of the dwelling and the wider Conservation Area, the proposals are considered to undermine the character and appearance of the Conservation Area.

Accordingly it is the view of staff that the proposed development is contrary to Policy DC61 (Urban Design) and Policy DC68 (Conservation Areas). It is recommended that permission be refused in this instance.

RECOMMENDATION

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

1. Reason for refusal - Conservation Areas

The proposed development would, by reason of its design and appearance, result in unsympathetic, visually intrusive development which would not preserve or enhance the special character of this part of the Conservation Area contrary to Policies DC61 and DC68 of the Core Strategy and Development Control Policies Development Plan Document, as well as the the Heritage Supplementary Planning Document.

INFORMATIVES

1. Refusal - Amendments requested not made 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 Amandeep Manku via email on 28.09.17. Revisions were requested which would sufficiently retain the original design features of the building. In doing so, the works would complement or improve the character of the dwelling and simultaneously preserve or enhance the character of the wider Conservation Area. The applicant declined to make the suggested revisions.

REGULATORY SERVICES COMMITTEE

26 October 2017

REPORT

Subject Heading:

P1384.17

Bridge Point, Southend Arterial Road

Partial demolition of the building and reconstruction of 7 flats comprising units 12, 13, 14, 19, 20, 40 and 41 to match the existing building (originally approved under application P1973.03)

(Application received 17-08-2017)

SLT Lead:

Steve Moore - Director of Neighbourhoods

Report Author and contact details:

Adèle Hughes
Senior Planner
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01708 432727

Ward:

Squirrels Heath

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

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

This application seeks consent for the partial demolition of the building and the reconstruction of 7 flats comprising units 12, 13, 14, 19, 20, 40 and 41 to match the existing building (originally approved under application P1973.03). In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. It is recommended that planning permission be granted subject to conditions.

RECOMMENDATIONS

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

1. Time Limit

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

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

2. Accordance with plans

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

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

3. Materials

The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 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.

4. Hours of construction

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

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

5. 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.

6. Construction Logistics Plan (CLP)

Prior to the commencement of the development, a Construction Logistics Plan that outlines efficiency and sustainability measures to be undertaken during delivery of the proposed development shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Transport for London (TfL). The development shall be carried out in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to a Construction Logistics Plan. Submission of details prior to commencement will ensure that the proposed development will not adversely affect the performance and/or safety of the Transport for London Road Network (TLRN). It will also ensure

that the development accords with the Development Control Policies Development Plan Document Policy DC32.

7. Construction methodology

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

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

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

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

8. Road Noise Assessment

The recommendations including sound insulation measures contained in the Road 'Traffic Noise Assessment for Proposed Residential Development at Bridge Service Station, Ardleigh Green' dated 24th July 2002, (also referred to as the application site) shall be implemented prior to the occupation of the proposed development and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect future residents against the impact of road noise.

INFORMATIVES

1. Approval - No negotiation required

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

2. Fee

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

3. Transport for London Informatives

The footway and carriageway on the A127, Southend Arterial Road must not be blocked during the demolition and rebuild of the flats. Temporary obstructions during the rebuild must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A127, Southend Arterial Road.

All vehicles associated with the rebuild of the flats must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.

No skips or construction materials shall be kept on the footway or carriageway on the Transport for London Road Network at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences may be required with TfL, please see: <https://www.tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences>

REPORT DETAIL

1. Site Description

1.1 The site has a frontage onto the A127 Southend Arterial Road and the access road in the centre of the site is known as Bridge Point. There are 23 car parking spaces located to the rear of the site. There are residential dwellings located to the south and west of the site in Ardleigh Green Road and Ardleigh Close respectively. There are residential dwellings located to the north east of the site.

2. Description of Proposal

- 2.1 This application seeks consent for the partial demolition of the building and the reconstruction of 7 flats comprising units 12, 13, 14, 19, 20, 40 and 41 to match the existing building (originally approved under application P1973.03). The building is made up of two parts, either side of the vehicular site access. The two parts are connected at high level with a bridging unit, which is made up of two flats. The two existing blocks are served by two staircases serving the three storey buildings, the eastern core comprises 20 one bedroom flats and the western core comprises of 21 one bedroom flats. Swan Housing Association are the owners of the site.
- 2.2 Earlier this year, part of the building was badly damaged as a result of a gas canister explosion. The damage has affected seven of the flats within the eastern block of the development and this part of the building needs to be demolished and re-built to match the existing building. The proposed development will provide the same level/type of accommodation and the site layout will be maintained, so access to parking and refuse storage will remain the same.
- 2.3 The Design and Access Statement states that the explosion has caused a significant disruption for the residents of the development. Swan Housing Association is keen to move forward with the re-provision of these homes, meeting the planning and space standards of the homes, which were approved in 2004.

3. Relevant History

- 3.1 P0967.05 - Change of use of office/reception area to self-contained flat, provision of 2 no. additional car parking spaces, boundary revisions, revised arrangements for motor cycle parking, bicycle storage and refuse storage – Approved with conditons.

P1973.03 - Construction of 2 interconnected blocks containing 40no. one bedroom flats for key workers, alterations to access, car, motorcycle, cycle parking and landscaping - Approved with conditions.

4. Consultation/Representations

- 4.1 The occupiers of 96 neighbouring properties were notified of this proposal. Three letters of objection were received with detailed comments that have been summarised as follows:

- The two buildings should be separated, the bridge should be taken away and the bars on the windows should be removed to avoid a potential fire.
- Noise and disturbance during demolition and construction works.

In response to the above, noise and disturbance during construction can be addressed by appropriate planning conditions.

- 4.3 Environmental Health - No objections or comments with regards to contaminated land. With regards to air quality, it is recommended that construction method statement is secured by condition if minded to grant planning permission. Recommend a condition regarding a road noise assessment if minded to grant planning permission.
- 4.4 Highway Authority - No objection.
- 4.5 Essex & Suffolk Water - We do not have any apparatus located in the proposed development. We have no objection to this development subject to compliance with our requirements; consent is given to the development on the condition that a water connection is made onto our Company Network for the new dwelling for revenue purposes.
- 4.6 The Fire Brigade is satisfied with the proposals. No additional fire hydrants are required.
- 4.7 Transport for London - The site of the proposed demolition and construction is on the A127, Southend Arterial Road, which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN and are therefore concerned about any proposal which may affect the performance and/or safety of the TLRN. The site of the proposed construction is located adjacent to the ongoing Ardleigh Green Bridge replacement works. With disruption expected until late 2019, and a two lane closure in effect until Spring 2019, the performance of the TLRN in this area is already reduced. With such disruption already occurring, TfL would require the applicant to produce a Construction Logistics Plan (CLP), which outlines efficiency and sustainability measures to be undertaken during delivery of the proposed development. This plan would be approved by Havering in conjunction with TfL before construction work commences on site. TfL further requests that the submission of the plans should be secured via appropriate planning conditions/obligations. TfL is notably concerned about the routing of construction vehicles both entering and exiting the site, due to the one way nature of the A127 and the left turn only exit. TfL have no objections to the nature of the development, indeed the rebuilding of the damaged flats will have a negligible impact upon the TLRN. However, considering the circumstances of the ongoing works at Ardleigh Green Bridge, TfL request an outline CLP secured by condition before it can support the application. Recommend informatives if minded to grant planning permission.

5. Relevant Policy

- 5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC29 (Educational premises), DC33 (Car Parking), DC40 (Waste recycling), DC55 (Noise), DC61 (Urban Design) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are also considered to be relevant together with the Design for Living Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.

5.2 Policies 3.18 (Educational facilities), 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.4 (local character), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The DCLG Technical Housing Standards document and the Housing SPG 2016 are relevant.

5.3 Policies 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

6. Mayoral CIL implications

6.1 The development is exempt from the Mayoral CIL, as 322 square metres of existing gross internal floor space of the building is being demolished and re-built.

7. Staff Comments

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

8. Principle of Development

8.1 Policy DC11 states that where sites which are suitable for housing become available outside the Green Belt, the employment areas, the commercial areas, Romford Town Centre and the district and local centres, the Council will not normally permit their use for other purposes. The site does not fall within any pertinent policy designated areas as identified in the Local Development Framework Proposals Map. It has been established, in land use terms, that the site is suitable for a housing development and therefore, the principle of a residential use is in accordance with policy criteria.

9. Site layout

9.1 The seven, one bedroom, two person flats each have a gross internal floor space of 37 square metres, which fails to meet the minimum gross internal floor area of 50 square metres contained in the Technical Housing standards. Although, Staff consider that there is insufficient justification to refuse planning permission on the grounds of lack of internal space, as the proposal involves the partial demolition of the building and reconstruction of 7 flats to match the existing building, which was originally approved under application P1973.03. There is no amenity space provision for the flats, although Staff consider it would be difficult to insist on this, given that they are a like for like replacement and the existing flats do not have any amenity space provision.

10. Design/Impact on Street/Garden Scene

- 10.1 It is considered the partial demolition of the building and the reconstruction of seven flats would not result in material harm to the streetscene, as the flats would be re-built exactly as per the plans for the previously approved application, P1973.03. As such, the original proportions and height of the building would remain the same as that prior to the gas explosion. In addition, the proposed development will match the materials previously approved under application P1973.03 and those used for the existing building (e.g. to match the western block).

11. Impact on Amenity

- 11.1 It is considered the partial demolition of the building and the reconstruction of seven flats would not result in material harm to residential amenity, as the original proportions and height of the building would remain the same as that prior to the damage to the building and the flats would be re-built identical to the plans for the previously approved application, P1973.03. The rear gardens of neighbouring properties in Ardleigh Close (nearest the application site) have a depth of between approximately 21 to 23 metres. Given these separation distances, Staff consider that this relationship is acceptable. It is considered that the proposal would not create any additional overlooking or loss of privacy over and above previous conditions.

12. Highway/Parking

- 12.1 The site has a PTAL of 1b. There are 23 car parking spaces, 40 cycle spaces and 20 motorbike spaces to the rear of the site. The agent has confirmed that there is no change to the historic arrangements with the car parking spaces being available exclusively for residents. Given that the proposal involves the partial demolition of the building and the reconstruction of 7 flats to match the existing building prior it being damaged, Staff consider that it would not create any parking or highway issues. The Highway Authority has no objection to this application. Considering the circumstances of the ongoing works at Ardleigh Green Bridge, Transport for London has requested a Construction Logistics Plan to be submitted, which outlines efficiency and sustainability measures to be undertaken during delivery of the proposed development before it can support the application and this will be secured by condition if minded to grant planning permission. The agent has confirmed that the access to parking and refuse storage will remain the same as that previously approved, which is acceptable.

13. Planning Obligations

- 13.1 The proposal involves the partial demolition of the building and the reconstruction of seven flats to match the existing building and as such, no additional units are being created. Therefore, it is considered that a financial contribution to be used for educational purposes is not required in this instance.

14. Conclusion

- 14.1 Staff are of the view that the partial demolition of the building and the reconstruction of 7 flats comprising units 12, 13, 14, 19, 20, 40 and 41 to match the existing building (originally approved under application P1973.03) is acceptable in principle, would not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. Staff consider that the scheme would not create any highway or parking issues. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None

Equalities implications and risks:

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

**REGULATORY SERVICES
COMMITTEE**

26 October 2017

Subject Heading:

P1172.17: Land to the rear of York House, 48-50 Western Road, Romford

Erection of a detached block comprising 6no. residential units, with associated landscaping and parking. (Application received 12 July 2017)

Ward:

Romford Town

SLT Lead:

**Steve Moore
Director of Neighbourhoods
Stefan Kukula**

Report Author and contact details:

**Principal Development Management Officer
stefan.kukula@havering.gov.uk
01708 432655**

Policy context:

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

Financial summary:

None

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

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

The proposal is for the construction of a new detached residential block comprising 6no. flats.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 365 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £7,300 Mayoral CIL payment (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following obligations, by 26 April 2018, and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £36,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Save for the holder of blue badges that the future occupiers of the proposal will be prohibited from purchasing residents or business parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Assistant Director of Development 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. Materials

Before any development above ground level takes place, 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. Vehicle Cleansing

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

originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

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

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

7. Parking Provision

Before any of the dwellings hereby permitted are first occupied, the car parking as indicated in drawing no. 001 shall laid out to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

8. Refuse and Recycling

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

Reason:-

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

9. Cycle Storage

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

Reason:-

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

10. Landscaping

No development above ground works shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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.

11. Boundary Fencing

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

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

12. Lighting

Prior to the first occupation of the building external lighting shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

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

13. Noise Assessment

No works shall take place in relation to any of the development hereby approved until a scheme for protecting the proposed dwellings/rooms from noise from the adjacent/nearby commercial premises has been 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 from adjacent commercial premises 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.

14. Obscure Glazing

The proposed windows in the flank elevations of the building shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained.

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

15. Water Efficiency

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

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

16. 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.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012..
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £7,300 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. **Fire Safety**
The applicant is advised that provision should be made prior to the first occupation of the development for the installation of a domestic sprinkler system to each of the dwellings. The sprinkler system should comply with BS 9251:2014 or BS EN 12845. See Section 8,50.1.2 of BS 9991:2015. It is advised that further information in respect of fire safety is obtained from the London Fire and Emergency Planning Authority on 020 8555 1200.
4. **Changes to the public highway (including permanent or temporary access)**
Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for

the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

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

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

Temporary use of the public highway

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

Surface water management

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
6. 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.

7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
8. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to land to the rear of York House, 48-50 Western Road, Romford. York House is a detached three-storey mixed use building, comprising offices and residential, and occupying a rectangular site with a frontage onto Western Road. To the rear of the building is an informal car park accessed via an undercroft driveway, which is subject to the application.
- 1.2 The York House premises are located with the Liberty Bell/Premier Inn hotel to the west and the British Legion social club to the east. The car park for the British Legion lies to the south.
- 1.3 The surrounding area is characterised by a mixture of edge of town centre residential and commercial uses.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the erection of a new detached residential block containing 6no. flats. The accommodation would comprise 2no. one bedroom units and 4no. two-bedroom units.
- 2.2 The proposed building would be set back from York House by approximately 17 metres, within the rear section of the car park. The new building would measure 11.9 metres in width, and project back into the site with a depth of 13.8 metres, with the rear elevation set some 5 metres from the rear boundary. The proposal would incorporate a traditional pitched roof design and a ridge height of 9.8 metres, including two front and two rear dormer windows.
- 2.3 The existing vehicle access point from Western Road through the undercroft would be retained, and the remaining car park would provide 10no. parking spaces, located to the rear of York House and to the front of the new block.

3. Relevant History

- 3.1 P0083.16 - Erection of a two storey office building (B1) and associated landscaping and parking - Approved, 29 March 2016
- 3.2 J0016.14 - Prior approval application for the change of use of the ground and first floors from office to residential (creation of 11 residential flats) - Approved, 2 February 2015
- 3.3 P2352.05 - New detached mews development comprising 4no. single bed flat units - Refused, 21 February 2006. Appeal dismissed 26 September 2006.
- 3.4 P1558.04 - Detached mews development comprising of 4 no. single bed flat units - Refused, 12 November 2004. Appeal dismissed 18 November 2006

4. Consultations/Representations

- 4.1 Notification letters were sent to 90 properties and 4 representations have been received.
- 4.2 The objections can be summarised as follows:
 - The proposal would be too large and form a cramped overdevelopment of the site.
 - Increase in traffic flow causing a danger to other drivers and pedestrians.
 - Noise, disturbance and traffic problems during construction works.
 - Additional waste storage attracting vermin and further pollution.
- 4.3 The Royal British Legion have commented that they have no objections to the proposal, but point out that they hold regular band practices and

licensed social functions at the adjacent premises and car park. They are concerned that their activities could raise noise and disturbance complaints from future occupiers of the new residential development.

4.4 In response to the above: Issues of disruption during construction are not a material planning consideration on which a refusal could be based. A condition would be included in any approval notice requiring the submission of a Construction Method Statement to ensure construction works are satisfactory and minimise noise and disturbance. Issues in terms of the impact of noise and disturbance from adjoining premises on future occupiers are discussed in the amenity section of this report. Matters concerning density, layout, residential amenity, and highway and pedestrian safety implications are also discussed in the following sections of the report.

4.5 The following consultation responses have been received:

- Essex Water - no objection.
- Thames Water - no objection.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - Concerned that a pump appliance would not be able to reach within 45 metres of all parts of the dwellings. But have confirmed that if an internal sprinkler system was to be installed the distance between the appliance and any point in the furthest flat at 2nd floor may be up to 75m. The sprinklers should comply with BS 9251:2014 or BS EN 12845. See Section 8,50.1.2 of BS 9991:2015.
- Environmental Health - no objection, recommended conditions relating to noise assessments associated with the surrounding commercial uses.
- Local Highway Authority - no objection, recommended conditions in relation vehicle cleansing and cycle parking as well as a restriction on future residents obtaining car 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), DC16 (Core and Fringe Frontages In District and Local Centres), 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, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), and 7 (Requiring good design are relevant to these proposals).

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the surrounding area, the implications for the residential amenity of the future occupants and of nearby properties, and the suitability of the proposed parking, access and servicing arrangements.
- 6.2 Two previous applications for the erection of a detached residential block have been refused at the site in 2004 and 2006. In both cases the subsequent appeals were dismissed by the Planning Inspectorate, with the Inspector finding harm to the character and appearance of the surrounding area, and on the living conditions of future occupiers, with particular regard to private amenity space and noise from the adjoining social club.
- 6.3 It should be noted that the applications were refused having regard to superseded policies that were in place prior to the adoption of the current Local Development Framework , its supplementary planning documents, the London Plan as well as national policies and guidance.
- 6.4 Since these decisions were issued, a large two storey detached extension block to the hotel has been constructed immediately adjacent to the application site, which has significantly changed the character of the backland site. In addition planning permission for the erection of a two storey office building (B1) and associated landscaping and parking was approved at the application site in March 2016, effectively establishing an acceptable scale, bulk and massing for a new building within the rear of the car park plot. Matters concerning amenity space and noise and disturbance are discussed in more detail in the 'Density/ Layout' and 'Impact on Amenity' sections below.

Principle of Development

- 6.5 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 6.6 The Romford Town Centre Development Framework seeks to utilise opportunities to increase the number of people living in the town centre. The Framework has been developed in line with GLA guidance, and takes into account Romford's particular townscape and heritage qualities. 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 as well as leading to a greater number of residential buildings.
- 6.7 On this basis the proposal is considered to be policy compliant in landuse terms, and in accordance with the general aspirations for Romford town centre in respect of increasing residential occupancy in the town centre.

Density/Layout

- 6.8 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.
- 6.9 The proposal would provide 6no. residential units at a density equivalent to approximately 100 dwellings per hectare. This complies with the aims of Policy 3.4 which suggests that a dwelling density of between 70 to 260 dwellings per hectare would be appropriate in this location.
- 6.10 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.
- 6.11 The proposed dwellings would meet the internal floor space standards for two-person one-bedroom flats and four-person two-bedroom flats. The bedrooms would also comply with the minimum requirements set out in the technical housing standards with regard to floor area and width. The attic flats would comply with the standards for minimum ceiling heights. Given this factor it is considered that the proposed development would be in accordance with the general principles of the technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.12 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All

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

- 6.13 There would be no communal amenity space however, the two ground floor flats would have a private terrace area, set out adjacent to the rear boundary, ranging in size from between 35 square metres up to 40 square metres. The four upper floor flats would not be served by external amenity areas, however given the close proximity to the town centre and that this is an established arrangement at other town centre residential accommodation nearby, in this instance it is considered to be acceptable.

Design/Impact on Streetscene and Special Character Area

- 6.14 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.15 The proposed building would be located to the rear of the existing block at York House and as such it would not be directly visible from the streetscene at Western Road.
- 6.16 Nevertheless, the building would form a prominent feature in terms of its visual appearance in the rear backland setting. The proposed block would be of a similar height to the adjacent Premier Inn extension block constructed in 2014. In addition, the proposed building would be of a similar scale, bulk, height and massing to the proposed detached office block approved at the site in March 2016.
- 6.17 In terms of its scale and positioning the adjacent hotel extension block forms a comfortable relationship to the other sections of the hotel. Essentially the proposed residential block would infill a backland area adjacent to two existing buildings. As such the development would be read within the context of the immediately adjacent buildings and the open car park forecourt to the rear of York House, as well as the spacious car park associated with the British Legion community hall beyond.
- 6.18 Overall the design and style of the proposed block is considered to adhere to the architectural character of the surrounding area, with the roof ridge height, bulk and massing being similar to those of the other adjacent buildings within this setting. Given the context of neighbouring development it is considered that the design would be acceptable within the backland setting in accordance with Policy DC61.

Impact on Amenity

- 6.19 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.

- 6.20 The application site is located within a broadly commercial area on the edge of Romford town centre, with neighbouring residential accommodation at York House.
- 6.21 The front elevation of the proposed residential building would be located approximately 17 metres from the rear overlooking windows of the flats at York House. Given the separation distance and the communal nature of the rear car park area, it is not considered that the proposal would unduly affect outlook or harm the residential amenity of the flatted accommodation at York House, in terms of privacy or overlooking.
- 6.22 Whilst it is recognised that there would be an intensification of residential use at the site, Staff are of the view that due to the building's positioning and design the proposal would not result in harmful impact upon the residential amenity of the surrounding properties.
- 6.23 Other residential accommodation is located some 90 metres to the south on Eastern Road. Given the nature of the proposed use and the distance, it is not considered that the proposal would result in any significant adverse impacts on the amenity of neighbouring occupiers at Eastern Road.
- 6.24 In terms of the amenity of future occupants: given the existing commercial uses within the area, the town centre location and the associated night time economy, Staff are of the view that any residents living in this part of Romford can reasonably expect to experience a greater element of noise and disturbance from passers-by and general town centre activity than those living in a purely residential area.
- 6.25 Since the Inspectors decisions in 2006, prior approval has been granted to convert more of the office floor space at York House to residential use, which has further intensified the amount of residential properties within the premises. It is also acknowledged that some conflict in terms of noise and disturbance could arise given the close positioning of the block to the British Legion Club and car park. However, the proposed building has been configured internally so that habitable bedroom and living room windows are orientated away from the flank boundary. In addition Environmental Health have advised that a condition is included requiring a full noise impact assessment is undertaken prior to commencement of building works. The measures of such an assessment would help to mitigate noise and disturbance issues for future occupiers, particularly with regard to the British Legion club. Standard internal noise insulation required by Building Regulations would also help to reduce harm in this regard.
- 6.26 The new building would be positioned some 6.6 metres from the Premier Inn extension block. Given the adjacent building comprises hotel

accommodation, the occupancy is of a transient nature and as such Staff judge that the relationship between the hotel and the proposed new block would be acceptable in this instance.

- 6.27 The flank windows would be conditioned to obscure glazed so as to prevent any prejudice to the redevelopment of adjoining sites in future, notably the Royal British Legion site.
- 6.28 Staff are therefore of the opinion that the proposed development would not harm the amenities of neighbouring properties to an extent that would justify refusing the scheme on these issues alone, and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61 and the intentions of the NPPF.

Environmental Issues

- 6.29 Environmental Health have raised no objections in relation to any historical contaminated land issues.
- 6.30 The site is not located within a Flood Zone and presents no issues in relation to local flood risk.

Parking and Highway Issues

- 6.31 The London Plan seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 6a; meaning that the premises has excellent access to a variety of public transport facilities. It is also within a controlled parking zone.
- 6.32 Chapter 6 of the London Plan states that all developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 parking space per unit.
- 6.33 In this instance the site currently provides up to 26no. off street car parking spaces in an informal basis with no marked out bays to the rear, serving the offices and residential properties at York House. The proposed new block would result in a reduction of off street parking spaces and the retention of 10no. spaces to the rear, with a further 6no. spaces to the frontage of York House. As a result 16no. parking spaces in total would remain, in accordance with the standards set out in the London Plan.
- 6.34 In addition to this current application, it should be noted that prior approval was granted in February 2015 and further sections of the ground and first floors of York House have been converted from office space to 11no. residential flats.

- 6.35 The applicant has stated that the parking spaces at York House are not allocated to specific properties, but are used by the offices and rented on separate contracts to residents who wish to obtain a space. The occupants of the proposed additional flats would also be at liberty to make an application for a parking bay.
- 6.36 Staff have given consideration to imposing a parking management condition, however, as the separate parking bay rental arrangement is currently in operation in connection with the existing flats (without being subject to a parking management condition) it is not considered to be reasonable in this instance.
- 6.37 The Local Highway Authority have requested that the applicant enters 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 proposal would result in any parking or highway safety issues. The legal agreement would be consistent with the other legal agreements completed for residential developments within Romford town centre.
- 6.38 Pedestrian and vehicular access to the new building would be via the existing undercroft arrangement which is 5 metres in width and laid out to include a dedicated pedestrian footway.
- 6.39 The Local Highway Authority have raised no objection in terms of parking provision, and it is not considered that the proposed block would result in any parking or highway safety issues.
- 6.40 There are no details included in the proposal indicating the location for the secure storage of bicycles or for the discrete storage of refuse, although it is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.

Mayoral Community Infrastructure Levy

- 6.41 The proposed development will create 6no. residential units with 365 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £7,300 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.42 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.

- 6.43 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.
- 6.44 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.
- 6.45 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.
- 6.46 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.
- 6.47 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.
- 6.48 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per unit towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.

6.49 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £36,000 for educational purposes would be appropriate.

7. Conclusion

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

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

7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the area or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a Section 106 legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources 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

Application form, supporting statements, and drawings received 12 July 2017, and additional plans received on 4 September 2017.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

26 October 2017

Subject Heading:

P1058.17

195-205 New Road, Rainham, RM13 8SJ;

Outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 77 units with ancillary car parking, access and landscaping;

(Application received 27.06.2017);

SLT Lead:

Steve Moore - Director of Neighbourhoods;

Report Author and contact details:

Mehdi Rezaie;
Principal Planner;
Mehdi.Rezaie@havering.gov.uk
01708 432732

Ward:

South Hornchurch

Policy context:

National Planning Policy Framework 2012;
The London Plan 2016;
Development Plan Document 2008;

Financial summary:

None.

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

- Communities making Havering [X]
- Places making Havering [X]
- Opportunities making Havering [X]
- Connections making Havering [X]

SUMMARY

This report concerns an outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 77 units (a mixture of 1, 2 and 3-bedroom apartments and 3-bedroom units) with ancillary car parking, landscaping and access. Staff considers that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions.

This application is submitted by Council, the planning merits of the application are considered separately to the Council's interests as applicant.

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.

As this is an Outline application, CIL would be assessed and applied when a reserved matters application is submitted.

That the Assistant Director of Development be authorised to enter into any subsequent legal agreement or other appropriate mechanism to secure the requirement of Condition 34 below, including that:

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

That planning permission be granted subject to the conditions set out below:

1. Outline – Reserved matters to be submitted:

Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. Time limit for details:

Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Time limit for commencement:

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Materials:

Unless details are provided and approved as part of the reserved matters submission(s), no above ground works shall take place in relation to any of the development hereby approved until details and samples of all materials to be used in the external construction of the building(s) and hard landscaped areas 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. Accordance with Plans:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice) and any other plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority

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

6. Site levels:

Unless details are provided and approved as part of the reserved matters submission(s), prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings shall be 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 supplied with the application to judge the proposed site levels of the proposed development. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

7. Piling Method Statement:

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 on 0800 009 3921 to discuss the details of the piling method statement.

8. Refuse and recycling:

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

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the

development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

9. Cycle storage:

Prior to the completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and approved in writing by the Local Planning Authority shall be provided for a minimum of 101.No. spaces and 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.

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 Development Control Policies Development Plan Document Policy DC61.

11. Land contamination:

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 II (Site Investigation) Report, as 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.
- b) 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.

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

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

12. Land contamination continued:

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.

- a) Following completion of the remediation works as mentioned 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.

13. 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.

14. Air quality:

- a) Prior to the commencement of the development hereby approved, the developer or contractor must be signed up to the NRMM register.
- b) The development site must be entered onto the register alongside all the NRMM equipment details.
- c) The register must be kept up-to-date for the duration of the construction of development.
- d) It is to be ensured that all NRMM complies with the requirements of the directive.
- e) An inventory of all NRMM to be kept on-site stating the emission limits for all equipment.

Reason: Being a major development in Greater London, but outside the Non-Road Mobile Machinery (NRMM) Central Activity Zone, NRMM used on site must meet Stage IIIA of EU Directive 97/68/EC as a minimum. From 1st September 2020 the minimum requirement for any NRMM used on site within Greater London will rise to Stage IIIB of the Directive.

15. Air quality continued:

- a) Prior to the commencement of the development, a Dust Monitoring Scheme for the duration of the demolition and construction phase of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority. The scheme shall detail:
 - Determination of existing (baseline) pollution levels;
 - Type of monitoring to be undertaken;

- Number, classification and location of monitors;
- Duration of monitoring;
- QA/QC Procedures;
- Site action levels; and
- Reporting method.

b) Following the completion of measures identified in the approved Dust Monitoring Scheme, a “Dust Monitoring Report” that demonstrates the effectiveness of the dust monitoring carried out must be produced, and is subject to the approval of the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the construction activities do not give rise to any exceedances of the national air quality objectives/limit values for PM10 and/or PM2.5, or any exceedances of recognised threshold criteria for dust deposition/soiling.

16. Air quality continued:

Prior to the commencement of the development, the developer shall submit for the written approval of the Local Planning Authority full details of mitigation measures that will be implemented to protect the internal air quality of the buildings. The use hereby permitted shall not commence until the approved measures have been shown to be implemented to the satisfaction of the Local Planning Authority in writing.

Reason: To protect the health of future occupants from potential effects of poor air quality and to comply with the national air quality objectives within the designated Air Quality Management Area.

17. Air quality continued:

Prior to the first occupation of the development, details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. The installation of the boilers shall be carried out in strict accordance with the agreed details and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

18. Development facilities:

Electric charging points shall be installed in 10% of the allocated parking spaces at the development. The charging points shall be supplied with an independent

32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The sockets shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: Paragraph 35 of the National Planning Policy Framework states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to [amongst other things] incorporate facilities for charging plug-in and other ultra-low emission vehicles."

19. Boundary Treatment:

Unless details are provided and approved as part of the reserved matters submission(s), no development above ground level shall take place until details of all proposed walls, fences and boundary treatment are 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 prior to the first occupation of the development for residential purposes and shall be permanently retained and maintained 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.

20. Surfacing materials:

Unless details are provided and approved as part of the reserved matters submission(s), before any above ground development is commenced, surfacing materials for the access road and parking areas shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent uses of the access road for anything but access.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the surfacing materials. Submission of this detail prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

21. Car parking:

Before the residential units hereby permitted are first occupied, the area set aside for car parking spaces shall be laid out and surfaced to the satisfaction of the Local Planning Authority and provide a minimum of 81.No. vehicular parking spaces,

those areas shall be retained permanently thereafter for the accommodation of vehicles associated with the site.

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.

22. Pedestrian Visibility Splay:

The proposals shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access onto Lower Mardyke Avenue and South Street, set back to the boundary of the public footway. There shall 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.

23. Vehicle Access:

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

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

24. Vehicle Cleansing:

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

a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.

b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;

c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.

d) A description of how vehicles will be cleaned.

e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

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

25. Drainage:

No development shall commence until full details of the drainage strategy, drainage layout, together with suds information to serve the development have been submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained.

26. Servicing:

No above ground development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of access road widths, turning area dimensions and swept path analysis to demonstrate that the proposed development can be adequately serviced and that service vehicles can exit the site in forward gear.

Reason: Insufficient information has been supplied with the application to demonstrate the width of the access road, the dimensions of the turning area and details of a swept path analysis. 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 highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC36.

27. Community Safety:

Prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' accreditation. The development shall only be carried out in accordance with the approved details.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and London Borough of Havering's Supplementary Planning Documents on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

28. Community Safety continued:

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and London Borough of Havering's Supplementary Planning Documents on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

29. 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.

30. Access:

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

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

31. Archaeology:

No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.

No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A). The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document and the NPPF.

32. Ecology/Biodiversity:

No development shall take place until a scheme for the provision of bat and bird boxes within the development shall be submitted to and approved by the Local Planning Authority. The boxes so approved within each phase of the development shall be completed and available for use before the last dwelling within that phase is occupied.

Reason: To ensure that any protected species remain safeguarded.

33. Hard and soft landscape details including:

No works shall take place in relation to any of the development hereby approved until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

34. Requirements/Contributions:

Before the development hereby permitted is commenced, the landowner shall enter into a suitable legal agreement (such as a S106 agreement) or other appropriate mechanism that ensures, to the satisfaction of the local planning authority, the performance of the following obligations:

- Pursuant to Section 16 of the Greater London Council (General Powers) Act 1974 - Restrictions on owner and occupiers applying for Parking Permits including provisions not to sell, lease, let or otherwise dispose of any dwelling unit or permit any occupation of any dwelling unit without first imposing in the relevant transfer lease, letting or occupation document a term preventing any owner or occupier of any dwelling unit from applying to the Council for a residents parking permit for the area within which the proposed development is situated;
- Controlled Parking Zone Contribution: Provision of £8624 to be paid prior to commencement;
- Financial contribution of £342,000 to be used for educational purposes, to be paid prior to first occupation;
- Financial contribution of £159,960 to be used for off-site carbon emissions offset measures in lieu of on-site carbon reduction measures, to be paid prior to first occupation;
- Financial contribution of up to £79,255.38 towards the A1306 Linear Park, to be paid prior to commencement;
- To provide affordable housing in accordance with a scheme of implementation for all New Road sites controlled by the developer that ensures that individual development sites are completed so that the overall level of affordable housing (by habitable rooms) provided across the sites does not at any time fall below 35% overall. The affordable housing to be minimum 50% social rent with up to 50% intermediate;

Reason: The development would otherwise be unacceptable if the obligations sought were not able to be secured.

INFORMATIVES

1. Approval following revision

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework In accordance with para 186-187 of the National Planning Policy Framework 2012.

2. Fee:

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

3. Changes to the Public Highway:

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. Highway Legislation:

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

5. Temporary use of the public highway;

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

6. Surface water management:

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

7. Community Safety:

In aiming to satisfy the condition the applicant should seek the advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 02082173813.

8. Street name/numbering:

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

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

9. Surface Water Drainage:

it is the responsibility of a 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 groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

10. Waste Water:

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 undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

11. Archaeology:

The applicant will be expected to meet the Museum's (or other archaeologist's) reasonable costs in carrying out the agreed programme of archaeological work, subject to any grant or voluntary contributions from other sources which may be obtained.

12. Bird Protected:

Anyone who takes damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.

13. Bat Protection:

Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations 2007. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult Natural England (tel. 0845 6003078).

REPORT DETAIL

1. Site Description:

- 1.1 The site is located on the north side of New Road, west side of Cherry Tree Lane and east side of Philip Road. Cherry Tree Lane is a principle vehicular route linking Rainham to the east with Hornchurch, Elm Park and Romford to the north. The area to the north of the site is predominately characterised as suburban residential comprising a mix of housing types. New Road is more mixed in character with commercial and residential uses. Opposite the site is the 4 storey Rainham Steel office building.
- 1.2 The application site relates to a parcel of land with a combined area amounting to approximately 0.762ha (7620m²). The site currently comprises a range of uses including a large warehouse divided into three distinctive sections to the north-east, a motor shop, garage and car washing service to the south-east and a single large warehouse and hardstanding to the south whilst the south-west part of the site retains 3.No. buildings (two-storey townhouse, a single storey townhouse and shed) with areas of hardstanding and grassland. To the rear part of the site fronting Cherry Tree Lane, the site is vacant. Running along the boundary with properties in

Philip Road is a group of mature Plane trees, which are protected by a Tree Preservation Order.

- 1.3 The application site does not form part of a conservation area, and is not located within the immediate vicinity of any listed buildings. It is however noted as potentially contaminated land and an area with potential archaeological significance.
- 1.4 The site is within the Rainham and Beam Park Housing Zone and within the area covered by the adopted Rainham and Beam Park Planning Framework.

2. Description of Proposal:

- 2.1 The application is for outline permission seeking approval with access, layout, appearance, landscaping and scale are reserved matters.
- 2.2 The outline proposals submitted with this application is for the demolition of the existing buildings and redevelopment of the site comprising the erection of a four-storey tall building (62 self-contained flats) and between two and three-storey tall buildings (15.No. terraced townhouses), a net gain of 76 residential units. The indicative mix proposed across the site includes 18.No. of 1 bedroom apartments, 35.No. of 2 bedroom apartments, 9.No. of 3 bedroom apartments and 15.No. 3 bedroom houses (19.5%).
- 2.3 The development proposal seeks to utilise vehicular access off Philip Road to the west, which will link via a new site estate road to one of two proposed access points from Cherry Tree Lane, at the eastern end of the site. The scheme is to provide 81.No. off street car parking spaces which is at a ratio of 1:1.
- 2.4 The application site lies within the Rainham and Beam Park Housing Zone, and is owned by private landowners. The applicant is the London Borough of Havering, although they do not own the land. The Council are seeking to undertake Compulsory Purchase Orders ("CPOs") to help deliver the comprehensive redevelopment of the area which is key to delivering the forecasted rate of house building and quality of development identified the adopted Rainham and Beam Park Planning Framework. The precursor to a CPO is normally to have planning permission in place.

3. Planning History:

- 3.1 A planning history search revealed an extensive planning background, as this application seeks the complete re-development of a particular site, the specific historical permissions issued to the land in question are not considered overly relevant in this instance.

4. Consultations/Representations:

- 4.1 The application was advertised by way of site and press notices as well as notification to 108 properties nearby. In total 4 representations have been received objecting to the proposal. These are summarised as follows:
- Impact of height of buildings on existing property including overlooking and loss of sunlight
 - Development out of keeping with surroundings
 - Concern over anti-social behaviour in car parking areas
 - Impact on existing businesses having to relocate
 - Lack of schools and medical facilities in the area
 - Increased traffic and parking issues
- 4.2 The following consultee responses have been received:
- 4.3 Highways Authority: No objection subject to imposition of conditions on pedestrian visibility splays, vehicle access and vehicle cleansing (conditions 22-25 and informatives on changes to and temporary use of the public highway, highway legislation and surface water management (informatives 3-6). The highways engineer has also requested that any S106 obligations in the form of restrictions on parking permits be made and Controlled Parking Zone Contributions be sought (condition 34).
- 4.4 Transport for London: Further information required, details of which have been outlined under condition 26.
- 4.5 LBH Street Management for Floods and Rivers Management: Proposal acceptable, further Information required in regard to drainage layout together with suds information being conditioned (condition 25).
- 4.6 LBH Street Management Waste and Recycling: No objection subject to condition (conditions 8) being imposed to the grant of any consent.
- 4.7 LBH Environment Protection: No objection in relation to land contamination, air quality matters subject to the imposition of conditions (conditions 11-18).
- 4.8 Essex and Suffolk Water: No objection.
- 4.9 Thames Water: No objection subject to condition (condition 7) and informative (informative 9 and 10) being imposed on grant of any permission. The sewage and infrastructure capacity is adequate, however, a condition on detailing the depth and type of piling to be undertaken and the methodology by which the piling will be carried out is required alongside an informative for waste and groundwater risk management permit.
- 4.10 London Fire Brigade: No objection subject to condition (conditions 26) on access for fire brigade vehicles adhering to approved documents being imposed to the grant of any consent.

- 4.11 Power Networks: Comment, electrical substation must be retained as it serves the wider community.
- 4.12 School Organisation and Pupil Place Team: No objection subject to a S106/CIL education contribution being made to support the requirement of 8.No. early years, 23.No. Primary and 15.No. Secondary schools generated from the development.
- 4.13 Metropolitan Police: No objection subject to Secured by Design principles being imposed by way of condition (conditions 27 and 28).
- 4.14 Historic England: Further information required, request for pre-determination archaeological assessment/evaluation.
- 4.15 Health and Safety Executive: No objection. HSE does not advise, on safety grounds, against the granting of planning permission in this case.

5. Planning Policy:

5.1 The 'National Planning Policy framework' ('NPPF') 2012;

The National Planning Policy is set out in the "NPPF" which was published in March 2012. The "NPPF" and Guidance ("NPPG") states clearly that its content is to be a material consideration in the determination of applications. The "NPPF" states that due weight should be given to the adopted policies of the Local Development Framework (LDF) according to their degree of consistency with the "NPPF" (the closer the policies in the plan to the policies in the "NPPF", the greater the weight that may be given). Accordingly, due weight is also given to the Nationally Described Space Standards (2015).

The relevant paragraphs from the "NPPF" include paras '7-9, 11-17, 21, 23, 28, 34, 35, 38-39, 40, 41, 47, 50, 52, 54-68, 70, 80, 89, 92, 95-96, 112, 150, 158-161, 173-177, 186-188, 196-197, 203-206'.

5.2 The London Plan 2016;

The relevant policies from the 'London Plan' include: Policy 1.1 (Delivering the Strategic Vision and Objectives for London), Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential), Policy 3.5 (Quality and Design of Housing Developments), Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities), Policy 3.7 (Large Residential Developments), Policy 3.8 (Housing Choice), Policy 3.9 (Mixed and Balanced Communities for All), Policy 3.10 (Definition of Affordable Housing), Policy 3.11 (Affordable Housing Targets), Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), Policy 5.1 (Climate change mitigation), Policy 5.2 (Minimising carbon dioxide emissions), Policy 5.3 (Sustainable design and construction), Policy 5.6 (Decentralised energy in development proposals), Policy 5.7 (Renewable energy), Policy 5.9 (Overheating and cooling), Policy 5.10 (Urban greening), Policy 5.12 (Flood risk management), Policy 5.13 (Sustainable drainage), Policy 5.14 (Water quality and wastewater infrastructure), Policy 5.15 (Water use and supplies), Policy 5.16 (Waste self-sufficiency), Policy 5.18 (Construction, excavation and demolition Waste), Policy 5.19 (Hazardous Waste), Policy 5.21 (Contaminated Land), Policy 5.22 (Hazardous Substances and Installations),

Policy 6.1 (Strategic Approach), Policy 6.3 (Assessing effects of development on transport capacity), Policy 6.9 (Cycling), Policy 6.10 (Walking), Policy 6.13 (Parking), Policy 7.1 (Lifetime neighbourhoods), Policy 7.2 (An inclusive environment), Policy 7.3 (Designing out crime), Policy 7.4 (Local character), Policy 7.5 (Public realm), Policy 7.6 (Architecture), Policy 7.14 (Improving air quality), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 7.19 (Biodiversity and access to nature), Policy 8.2 (Planning obligations), Policy 8.3 (Community Infrastructure Levy).

5.3 London Borough of Havering's Development Plan Document ("DPD") 2008:

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the provisions of the development plan and any other material considerations when dealing with an application for planning permission. Havering's development plan comprises the London Plan (2016), London Borough of Havering's 'DPD' (2008), together with London Borough of Havering's ("LBH") Supplementary Planning Documents 'Designing Safer Places' (2010), 'Landscaping' (2011), 'Planning Obligations' (2013), 'Residential Design' (2010), 'Sustainable Design Construction' (2009), 'Protection of Trees' 2009.

The relevant policies from Havering's "DPD" include; Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), (DC7 - Lifetime Homes and Mobility Housing), DC29 (Educational Premises), DC32 (The road network), DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated land), (Contaminated Land), DC55 (Noise), DC58 (Biodiversity and Geodiversity), DC60 (Trees and Woodlands), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), Policy DC70 (Archaeology and Ancient Monuments), DC72 (Planning Obligations).

5.4 Rainham and Beam Park Planning Framework:

5.4.1 This site forms part of a wider regeneration project which will see Rainham and Beam Park poised for significant investment into new infrastructure and housing. In June 2015, following a successful bidding process, Rainham and Beam Park was identified as one of the GLA's new 'Housing Zones'. The Zone encompasses the historic heart of Rainham and extends northwards and westwards to include the land either side of New Road including the industrial areas between the road and the railway lines. The Borough boundary along the River Beam marks the western extent of the Zone and the area around Marsh Way bridge and up to the River Beam are commonly referred to as Beam Park. The western boundary borders onto the London Borough of Barking and Dagenham.

5.4.2 The Council produced a Planning Framework for the area/Housing Zone in January 2016. The purpose of the Planning Framework was to provide a

comprehensive and flexible plan for the Rainham and Beam Park area. It is a strategic document that aims to assist the Council in directing investment, as well as helping to guide and shape the quality of development coming forward. The Planning Framework sets out design principles for new development and seeks to ensure that appropriate infrastructure is put in place.

5.4.3 Within the Planning Framework, this site forms part of 'Beam Parkway' in which it is suggested townhouses should form 25-30% of dwelling proposed. A residential density of 100-120 units per hectare is suggested with building heights of four storeys fronting New Road and 2-3 storey townhouses to the rear. Maximum car parking standards of 0.5 space per 1 bedroom or studio unit; 1 space per 2 bedroom unit; 1.5 spaces per 3 bedroom unit; and 2 spaces per 4+ bedroom unit are recommended.

6. Mayoral CIL implications:

6.1 It is noted that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. As this is an outline application, there are no definitive gross internal floor areas for the dwellings, so the applicable levy is not known.

7. Principle of Development:

7.1 In terms of national planning policies, Para 17 from the 'NPPF' 2012 sets out the overarching roles that the planning system ought to play, a set of core land-use planning principles that should underpin decision-taking, one of those principles are that planning should:

"encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value"

7.2 Additionally, other materially relevant policies appear from the 'London Plan' 2016 which include: Policy 1.1 on 'Delivering the Strategic Vision and Objectives for London' and Policy 3.3 on 'Increasing Housing Supply' and Policy 3.4 on 'Optimising Housing Potential' fall integral to the decision making process.

7.3 In terms of local planning policies, Policy CP1 on 'Housing Supply' of LBH's 'Development Plan Document' 2008 expresses the need for a minimum of 535 new homes to be built in Havering each year through;

"prioritising the development of brownfield land and ensuring it is used efficiently..."

And;

"outside town centres and the Green Belt, prioritising all non-designated land for housing, including that land released from Strategic Industrial Locations and Secondary Employment Areas as detailed in CP3...."

7.4 Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year. Ensuring an adequate housing supply to meet local and sub-regional housing need is important in making Havering a place where people want to live and where local people are able to stay and prosper. Expanding on this, policy CP2 aims to ensure that sustainable, attractive, mixed and balanced communities are created.

7.5 The aspiration for a residential-led redevelopment of the Rainham and Beam Park area was established when the area was designated a Housing Zone. Furthermore the production of the Planning Framework sought to re-affirm this and outline potential parameters for development coming forward across the area with the aim of ensuring certain headline objectives are delivered. The '*Rainham and Beam Park Planning Framework*' 2016, supports new residential developments at key sites including along the A1306, and the Housing Zones in Rainham and Beam Park, the document in part states:

"The Rainham and Beam Park area provides a major opportunity for Havering to establish a high quality residential neighbourhood that provides much needed homes in the Borough. This will further contribute to meeting the housing target set by the Mayor through comprehensive development that seeks to optimise development outcomes."

7.6 For the reasons mentioned above, including that there is no policy protection for the existing commercial uses, officers raise no objection to the principle of a residential-led development coming forward on this site. The principle of development is therefore considered acceptable on its planning merits and in accordance with guidance from within Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008; and Policies 3.3 on 'Increasing Housing Supply' and 3.4 on 'Optimising Housing Potential' of the '*London Plan*' 2016 and Paras 17 and 47 from the '*NPPF*' 2012 which seeks to increase housing supply.

8. Density/Site Layout:

8.1 The development proposal is to provide 77.No residential units (net gain of 76) on a site area of 0.76ha (7600m²) which equates to a density of 101 units per ha.

8.2 Policy SSA12 of the LDF specifies a density range of 30-150 units per hectare; the London Plan suggests a density range of between 35 and 170 dwellings per hectare depending upon the setting in terms of location (suggesting higher densities within 800m of a district centre or a mix of different uses). The Planning Framework suggests a density of between 100-120 dwellings per hectare. Given the range of densities that could be applicable to this site, a proposed density of 101 units per hectare is not considered to be unreasonable and would be capable of being accommodated on this site given the mixed character of the area and proximity to the future Beam Park district centre and station.

8.3 The primary elevation of the proposed apartment block would front onto New Road (south facing) with the townhouses onto Cherry Tree Lane (east facing), the siting

and orientation of the buildings would as a result respond positively on the established perpendicular street pattern and contribute to the stipulated character of the area. The proposed apartment block would respect the established building line from properties off New Road whilst the building line of the townhouses are set slightly forward of others nearby, officers have however factored in the curvature of the road and the sites response to pattern which to a degree maintains consistency. Officers are of the opinion that its siting of the apartment block together with the townhouses in the location proposed would harmonise against the pattern of development from properties on both New Road and Cherry Tree Lane. The general layout plan of the building would fall in accordance with Policy DC61 of the LDF.

8.4 In respect of amenity space, the London Borough of Havering's Supplementary Planning Document for '*Residential Design*' 2010 does not prescribe fixed standards for private amenity space or garden depths. Instead the document places emphasis on new developments providing well designed quality spaces that are usable. In terms of amenity space provision, communal amenity space will be expected on all flatted schemes.

8.5 The proposed communal area sited to the rear of the apartment block appears easily accessible and legible to its occupants, whilst the private amenity areas to the townhouses would be of acceptable size and orientation. Officers are yet to view further details of how the proposed communal amenity space would be designed to be private, attractive, functional and safe, details of boundary treatments, seating, trees, planting, lighting, paving and footpaths or details of effective and affordable landscape management and maintenance regime are yet to be provided and would be assessed as part of any reserved matter submission. The remaining area within the development is largely hard surfacing and consists of the access road and parking provision. It is considered that the layout of the site is acceptable on its planning merits.

9. Design/Impact on Street/Garden Scene:

9.1 The application would involve the demolition of a large warehouse divided into three distinctive sections to the north-east, a motor shop, garage and car washing service to the south-east and a single large warehouse and hardstanding to the south whilst the south-west part of the site retains 3.No. buildings (two-storey townhouse, a single storey townhouse and shed) with areas of hardstanding and grassland. Officers note that the buildings/structures do not hold any architectural or historical value, therefore no principle objection raised to their demolition.

9.2 Scale is a reserved matter. From the submitted Design and Access Statement, the agent has indicated that the proposed apartment block will be no greater than four-storeys in height and the townhouses between two and three-storey tall. The overall height of the apartment block peaking four-storeys follows guidance as stipulated under the Planning Framework which states that new development along New Road could raise to a height of 4 storeys and that this level is an efficient height for smaller apartment buildings. The apartment block reduces in height to a maximum of three storeys along Philip Road which is considered to result in an

acceptable relationship to the lower height buildings to the north. Similarly, the three-storey townhouses fronting Cherry Tree Lane would not be so out of scale or character with the form and height of buildings in close proximity and is considered acceptable on its planning merits.

- 9.3 Design and appearance is a reserved matter, as such a condition would need be applied to the grant of any permission requiring details of material use for reason of visual amenity. In addition to this, landscaping is also a reserved matter, it is considered that the proposal can achieve an acceptable level of landscaping given the proposed layout whereby a further condition would need be applied to the grant requiring details of such.
- 9.4 Based on the built footprint of apartment block and townhouses and their overall heights, after having reviewed the plot width and its depth, officers consider the height to width ratio of the proposed buildings to be appropriate for the site and in keeping with guidance from within LBH's Supplementary Planning Document for '*Residential Design*' 2010.

10. Impact on Amenity:

- 10.1 The proposed apartment block at its western end, fronting Philip Road would be 3 storeys in height and situated 22 metres from the nearest residential property at 1 Philip Road. , Similarly, the western boundary of the site (side elevations of the townhouses) closest to its neighbouring properties; 1-15 Philip Road, maintain a flank to back distance of between 30m metres distance (at its closest) to 38m distance (at its furthest). The Daylight, Sunlight and Overshadowing' report reaffirms that the scheme surpassed all the daylight/sunlight tests with no detrimental impact caused to neighbouring properties from the development. Officers have reviewed the submitted information and consider that the proposal would not result in any overbearing or overshadowing to its nearest neighbouring property by virtue of the developments siting and distance which has appropriately mitigated potential concerns.
- 10.2 From an environmental health perspective, in particular to land and air contamination, it is worthwhile noting that the applicant has carried out and submitted as part of this application a Phase 1 Environmental; Review and Preliminary Risk Assessment which has been overlooked by the Councils Environment Health and Protection team who raised no objections to the proposal. On the basis of identifying and mitigating any potential harm that may arise from the site, safeguarded by condition (conditions 11-17) the proposal would adhere with Policy DC49 on 'Sustainable Design and Construction'; Policy DC52 on 'Air Quality'; Policy CP17 on 'Design' of LBH's '*Development Plan Document*' 2008; and policies, 5.2, 7.14 and 7.15 of the '*London Plan*' 2016; and LBH's Supplementary Planning Document for '*Sustainable Design Construction*' 2009.
- 10.3 From a noise and disturbance perspective officers have had regard to the principle sources of emissions affecting the site have been noted as local road traffic using the A1306 New Road, coupled with more distant noise from the railway and the A13 to the south with some ancillary noise associated to local commercial

premises that lie adjacent to each of the development areas. More notably, the siting of the access drives and buildings will enable the provision of a landscaped buffer strip against the adjoining boundary to the south which is of most concern. Any noise buffer against the western and eastern boundaries will also help to absorb any noise and light spillage resulting from vehicles passing through. The provision of appropriate distance, boundary treatment together with a landscaping scheme would also afford reasonable protection to those who live adjacent to the site (north) from any direct source of conflict.

10.4 The applicant has carried out and submitted as part of this application a Noise Impact Assessment to clarify that there is to be no detrimental impact caused to nearby residents or future occupants of the development from the use of the access road or that of adjacent/nearby uses as a result. As it stands, officers are minded to place a condition limiting construction hours to set days/times (conditions 10). The proposal, subject to compliance with any conditions imposed would adhere to Policy DC55 on 'Noise' of LBH's *'Development Plan Document'* 2008; and policies, 5.2, 7.14 and 7.15 of the *'London Plan'* 2016; and LBH's Supplementary Planning Document for *'Sustainable Design Construction'* 2009.

11. Highway/Parking:

11.1 The level of parking that is set out in the Rainham and Beam Park Framework has been formulated in line with the parking standards set by the London Plan's Policy 6.13. The London Plan standards relate to the whole of Greater London and therefore aim to encompass a range of local characteristics. Maximum parking provision set out in the London Plan for PTAL areas 2 and 3 are up to one space per 1 and 2 bedroom dwelling, up to 1.5 spaces per 3 bedroom dwelling, and up to 2 per 4 bedroom dwelling and larger. Within the Framework, the maximum parking standard is stated as 0.5 spaces per 1 bed unit, 1 space per 2 bed unit, 1.5 spaces per 3 bed unit and 2 spaces per 4+ bed unit.

11.2 The application site achieves a PTAL score of 2 (low-moderate accessibility), the proposal for 77.No. units is accompanied by the provision of 81.No. vehicular parking spaces, which equates to a parking ratio of 1.05:1. At the car parking ratio presented, the provision proposed represents a very slight (1 space) over provision against the maximum standards suggested in the Planning Framework. Officers are however mindful that this is an application for outline planning permission and the residential mix is potentially subject to change at reserved matters stage,

11.3 Accordingly, officers are content with the provision of parking proposed considering the 81 spaces would suitably allow the applicant at reserved matters to finalise a car parking management plan, the layout of the site encompasses 8.No. disabled vehicular parking bays which subsequently lends itself positively to meeting the needs of disabled users.

11.4 In respect of vehicular access, for the apartment blocks this is proposed to the rear/west of the site (off Philip Road) and for the townhouses this is proposed to the rear/east of the site (off Cherry Tree Lane). The access arrangement allows a link through to Philip Road which benefits emergency and service vehicles. The

London Fire Brigade has raised no objection in principle. In this respect the proposal is compliant with Policy DC36 of the LDF.

- 11.5 A Transport Assessment has been submitted as part of this application which predicts that the traffic generated from the proposed residential development would have a negligible increase over existing traffic conditions, in peak periods, but a significant reduction over the whole day.
- 11.6 The Council's Highways Engineer has reviewed all highways and parking related matters and raised no objection subject to the imposition of conditions covering pedestrian visibility, vehicle access and vehicle cleansing during construction (conditions 22-24 and informatives 3-6), alongside a financial contribution to Controlled Parking Zone and limitation on future occupiers from obtaining any permits in any future zone. In this respect (conditions 34), the proposal is considered to be compliant with Policy DC33 of the LDF; and Policy 6.13 of the '*London Plan*' 2016.

12. Affordable Housing and Mix:

- 12.1 Policy DC6 of the LDF and Policies 3.9, 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals. The Mayor of London Supplementary Planning Guidance "Homes for Londoners" sets out that where developments propose 35% or more of the development to be affordable at an agreed tenure split, then the viability of the development need not be tested – in effect it is accepted that 35% or more is the maximum that can be achieved.
- 12.2 The proposal is one of a series of development sites, the redevelopment of which is aimed at regenerating the Housing Zone. As long as this site provides part of an overall development which at no point, the affordable housing provided falls below 35%, by which 50% to be social rent with up to 50% intermediate, then it is considered that the affordable housing policy requirement could be met. The development proposal, subject to condition 33 being imposed would comply with Policies 3.9, 3.11 and 3.12 of the '*London Plan*' 2016.
- 12.3 The Council's Housing and Needs Assessment (2012) suggested that future market housing delivery should be split between 50% small (1- and 2-bedroom units) and 50% large (3+ bedrooms) units. Overall, around 70% of small units should provide 2-bedrooms, although it has been noted that this may not apply to all sites. Staff consider that the mix at 23.4% one bedroom units; 45.5% two bedroom units; and 31.2% three bedroom units (houses and apartments) is acceptable in principle and sufficient to allow a mixed balanced community to form.

13. Other Material Planning Considerations:

- 13.1 From a land contamination perspective, the site is classified as contaminated land, notwithstanding this, given its built form and comments received by Environment Health and Protection on land contamination and air quality matters any harm that may can be mitigated by certain measures (conditions 11-18). Therefore, and

subject to satisfying the requirements from the above mentioned conditions, the development proposal would adhere with Policy DC53 of the LDF.

- 13.2 From an archaeological perspective, the application site is situated within an area of archaeological potential, it has been noted that no archaeological assessment or statements have been provided as part of this submission. In light of this, and comments raised by officers from Historic England, concern has been raised over the potential impact to archaeological remains and requirement for further assessment/report to be carried out. Officers have therefore deemed it necessary and appropriate to apply a condition (condition 31) with any recommendation granting consent for a programme of archaeological work to be undertaken by the developer so to ensure that any archaeological remains and information contained within the site are preserved and recorded. Subject to providing and satisfying the necessary guidance and provision, the proposal would adhere to Policy CP18 on 'Heritage' and Policy DC70 on 'Archaeology and Ancient Monuments' of the LDF; and Para 206 of the 'NPPF' 2012.
- 13.3 From a biodiversity and geodiversity perspective, officers have assessed the built form of the site and taken into consideration the '*Phase a Habitat Survey*' by the applicant. The findings from the survey recorded that three of the buildings were noted as suitable for bat roosting features, and nesting birds within trees and hedgerows features. The enhancements proposed include tree planting as part of the landscaping scheme (native and pollinator plant species) together with installation of both bird and bat boxes in the new buildings/landscape. Although the site is of low overall ecological value, the site still has the potential to harbour protected species and therefore it would be appropriate to impose a condition (condition 32) in full accordance with the specific recommendations and mitigation measures set out within the submitted ecological report and guidance (informatives 12 and 13) as a means to safeguarding protected species in accordance with Policy CP15 on 'Environmental Management' and Policy CP16 on 'Biodiversity and Geodiversity' of the LDF; and Policy 7.19 on 'Biodiversity and access to nature' from the '*London Plan*' 2016; and Para's 117 and 118 from the '*NPPF*' 2012.
- 13.4 From an arboricultural perspective, a tree survey has been carried out as part of this application which indicates the presence of mature trees. A site inspection reveals that there is a number of mature London Plane trees bounding the site, the status of these trees as part of the western boundary of the site are protected under Tree Preservation Orders. The trees would be retained and subject to adhering with tree protection measures, the proposal would fall in keeping with Policy of the LDF; LBH's Supplementary Planning Document for '*Protection of Trees*' 2009 and '*Landscaping*' 2011; and Para 118 from the '*NPPF*' 2012.
- 13.5 From a flooding and drainage perspective, a review of the Environment Agency mapping indicates that the site is located within tidal Flood Zone 1 (with a 1 in 1,000 (0.1%) annual probability fluvial or tidal event). The site and surroundings remain protected by the Thames Tidal flood defences which are of very high standard. The applicant has submitted a Flood Risk Assessment and highlighted that detailed drainage designs would be prepared post-determination. The Environment Agency has yet to comment on the proposal; however the Council's drainage advisors have sought a condition to be imposed to the granting

of any consent requesting drainage layout and SUDS detail (condition 25). Subject to adhering with the requirements of the condition imposed, the proposal would fall in keeping to guidance from within Policy DC48 on 'Flood Risk' and Policy DC49 on 'Sustainable Design and Construction' of the LDF and LBH's Supplementary Planning Document for '*Sustainable Design Construction*'; and Policies 5.12 on 'Flood risk management' and Policy 5.13 on 'Sustainable drainage' of the 'London Plan' 2016; and with Paras 104 and 121 from the '*NPPF*'

- 13.6 From a sustainability perspective, the proposal is accompanied by a Sustainability Statement and Energy Statement. The reports highlights that in order to achieve 'zero carbon' for the residential portion of the scheme, 88.9 tonnes per annum of regulated CO₂, equivalent to 2666 tonnes over 30 years from the new-build domestic portion should be offset onsite. In calculating the baseline energy demand and carbon dioxide emissions for the site, a financial contribution as carbon emissions offset contribution in lieu of on-site carbon reduction measures has been calculated at £60 per tonne (£159,960) and would be required by condition 34. The development proposal, subject to satisfying contributions sought as set out under condition 34 would comply with Policy 5.2 of the London Plan.
- 13.7 From a crime prevention and community safety perspective, the submitted Planning Statement has made reference to the sites layout and use of natural surveillance. Comments received by the Crime Design Advisor recommends Secured by Design conditions to be imposed in the grant of any planning permission so to accord with Policies CP2, CP17, DC49 and DC63 of LBH's '*Development Plan Document*' 2008; and with LBH's Supplementary Planning Document for '*Designing Safer Places*'; and Policies 3.5, 7.1 and 7.3 of the '*London Plan*' 2016.
- 13.8 The south-western boundary of the application site is located within an Outer Consultation Zone (as designated by the Health and Safety Executive) in relation to the proposal's proximity to major hazards sites/pipelines, notwithstanding this, there is no objection from the HSE as the development would not place new residential occupiers at an unacceptable risk of harm in the event of a major incident involving this site constraint. As such, the proposal is supported in principle as it would adhere to Policy 5.22 on 'Hazardous Substances and Installations' of the '*London Plan*' 2016.
- 13.9 In response to the objector comments raised during the public consultation period, the Council considers that the proposal accords with the policies of the development plan as summarised above. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rises to can and has been offset by the conditions imposed.

14. Planning Obligations/Financial contributions:

- 14.1 Policy DC72 on 'Planning Obligations' of LBH's '*Development Plan Document*' 2008 which in part emphasises that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured

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

- 14.2 In 2013, the Council adopted its Supplementary Planning Document on '*Planning Obligations*' which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 14.3 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 14.4 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 on 'Planning Obligations' of LBH's '*Development Plan Document*' 2008 and Policy 8.2 on 'Planning obligations' of the '*London Plan*' 2016.
- 14.5 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 year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 on 'Educational Premises' of LBH's '*Development Plan Document*' 2008.
- 14.6 Previously, in accordance with the SPD, a contribution of £4500 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £4500 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 14.7 Policy DC29 on 'Educational Premises' of LBH's '*Development Plan Document*' 2008 highlights how the Council will ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of residents. This is partly achieved by seeking payments from residential developers for the capital infrastructure of schools required to meet the demands generated by the residential development (net gain of 76.No units taking into

consideration the existing dwellinghouse). Therefore, financial contribution totalling £342,000 to be used for educational purposes in accordance with the Policy DC29 and LBH's Supplementary Planning Document for '*Planning Obligations*' 2013.

- 14.8 Policy DC2 on 'Housing Mix and Density' of LBH's '*Development Plan Document*' 2008 emphasises that residential developments will only be permitted with less than one car parking space per unit where on-street car parking can be controlled through a Controlled Parking Zone. Therefore, a financial contribution shall be sought (condition 34) to be used for Controlled Parking Zone allowing provision in the sum of £8624 (£112 per unit) to be paid prior to the commencement of the development in accordance with the Policy DC2 and LBH's Supplementary Planning Document for '*Planning Obligations*' 2013.
- 14.9 A financial contribution totalling £159,960 to be used for off-site carbon emissions offset measures in lieu of on-site carbon reduction measures is required in accordance with Policy 5.2 on 'minimising Carbon Dioxide Emissions'; and Policy CP15 on 'Environmental Management' and with Policy DC49 on 'Sustainable Design and Construction' of LBH's '*Development Plan Document*' 2008; and LBH's Supplementary Planning Document for '*Sustainable Design Construction*' 2009; and Policy 5.3 on 'Sustainable Design and Construction' and Policy 5.15 on 'Water use and supplies' and Policy 5.16 on 'Waste self-sufficiency' from the '*London Plan*' 2016
- 14.10 Based on the length of frontage being 73.4m and 20% proportion of costs of providing the assets required to implement the scheme, financial contribution in the sum of up to £79,255.38 (at a proportion contribution of 2.95%) will be sought towards the A1306 Linear Park which is considered to be an essential component of the regeneration of the Housing Zone and would be partly funded by developer contributions in accordance with the Planning Framework.
- 14.11 Policy DC6 of the LDF and Policies 3.9, 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals. Therefore, affordable housing shall be sought in accordance with a scheme of implementation for all New Road sites controlled by the developer that ensures that individual development sites are completed so that the overall level of affordable housing (by habitable rooms) provided across the sites does not at any time fall below 35% overall. The affordable housing to be minimum 50% social rent with up to 50% intermediate.
- 14.12 In this case, the applicant is the Council, but they currently have no interest in the site. The purpose of the application is to establish the principle of residential development on the site to support regeneration initiatives in the area. As such, it is unlikely that the current owners of the site would be willing to enter into a legal agreement (which is the usual method for securing planning obligations) as they have no role in the present application. The NPPG states that in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before development can commence may be appropriate in the case of more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise

be at serious risk. It is considered that this application presents such an exceptional circumstance and the obligations are recommended to be secured through a planning condition.

15. Conclusion:

15.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposal would not harm the form and character of the surrounding area, the residential amenity of the occupants of neighbouring properties or result in any highway issues subject to the monitoring of safeguarding conditions.

IMPLICATIONS AND RISKS

Financial implications and risks: None.

Legal implications and risks: This application is made by Council, the planning merits of the application are considered separately to the Council's interests as applicants.

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.

Human Resources implications and risks: None

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including units that provide for wheelchair adaptable housing, and units which are designed to Lifetime Homes standards. The residential development is exclusively for affordable housing, thus contributing to the provision of mixed and balanced communities.

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, staff considers that the proposal will not undermine crime prevention or the promotion of community safety.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

26 October 2017

Subject Heading:

P0782.17

21 New Road, Rainham, RM13 8DJ;

Outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 24 units with ancillary car parking, landscaping and access;

(Application received 02.05.2017);

SLT Lead:

Steve Moore - Director of Neighbourhoods;

Report Author and contact details:

Mehdi Rezaie;
Principal Planner;
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01708 432732

Ward:

South Hornchurch

Policy context:

National Planning Policy Framework 2012;
The London Plan 2016;
Development Plan Document 2008;

Financial summary:

None.

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

- Communities making Havering [X]
- Places making Havering [X]
- Opportunities making Havering [X]
- Connections making Havering [X]

SUMMARY

This report concerns an outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 24 units (a mixture of 1, 2 and 3-bedroom apartments and 3-bedroom dwellinghouse) with ancillary car parking, landscaping and access. Staff considers that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions.

This application is submitted by Council, the planning merits of the application are considered separately to the Council's interests as applicant.

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.

As this is an Outline application, CIL would be assessed and applied when a reserved matters application is submitted.

That the Assistant Director of Development be authorised to enter into any subsequent legal agreement to secure the requirement of Condition 30 below, including that:

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

That planning permission be granted subject to the conditions set out below:

1. Outline – Reserved matters to be submitted:

Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. Time limit for details:

Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Time limit for commencement:

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Materials:

Unless details are provided and approved as part of the reserved matters submission(s), no above ground works shall take place in relation to any of the development hereby approved until details and samples of all materials to be used in the external construction of the building(s) and hard landscaped areas 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. Accordance with Plans:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice) and any other plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority

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

6. Site levels:

Unless details are provided and approved as part of the reserved matters submission(s), prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings shall be 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 supplied with the application to judge the proposed site levels of the proposed development. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

7. Refuse and recycling:

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

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

8. Cycle storage:

Prior to the completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and approved in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

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

9. 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.

10. Land contamination:

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 II (Site Investigation) Report, as 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.
- b) 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.
- c) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for

contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

11. Land contamination continued:

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.

- a) Following completion of the remediation works as mentioned 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.

12. Air quality:

- a) Prior to the commencement of the development hereby approved, the developer or contractor must be signed up to the NRMM register.
- b) The development site must be entered onto the register alongside all the NRMM equipment details.
- c) The register must be kept up-to-date for the duration of the construction of development.
- d) It is to be ensured that all NRMM complies with the requirements of the directive.
- e) An inventory of all NRMM to be kept on-site stating the emission limits for all equipment.

Reason: Being a major development in Greater London, but outside the Non-Road Mobile Machinery (NRMM) Central Activity Zone, NRMM used on site must meet Stage IIIA of EU Directive 97/68/EC as a minimum. From 1st September 2020 the minimum requirement for any NRMM used on site within Greater London will rise to Stage IIIB of the Directive.

13. Air quality continued:

- a) Prior to the commencement of the development, a Dust Monitoring Scheme for the duration of the demolition and construction phase of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority. The scheme shall detail:
- Determination of existing (baseline) pollution levels;
 - Type of monitoring to be undertaken;
 - Number, classification and location of monitors;
 - Duration of monitoring;
 - QA/QC Procedures;
 - Site action levels; and
 - Reporting method.
- b) Following the completion of measures identified in the approved Dust Monitoring Scheme, a “Dust Monitoring Report” that demonstrates the effectiveness of the dust monitoring carried out must be produced, and is subject to the approval of the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the construction activities do not give rise to any exceedances of the national air quality objectives/limit values for PM10 and/or PM2.5, or any exceedances of recognised threshold criteria for dust deposition/soiling.

14. Air quality continued:

Prior to the commencement of the development, the developer shall submit for the written approval of the Local Planning Authority full details of mitigation measures that will be implemented to protect the internal air quality of the buildings. The use hereby permitted shall not commence until the approved measures have been shown to be implemented to the satisfaction of the Local Planning Authority in writing.

Reason: To protect the health of future occupants from potential effects of poor air quality and to comply with the national air quality objectives within the designated Air Quality Management Area.

15. Air quality continued:

Prior to the first occupation of the development, details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. The installation of the boilers shall be carried out in strict accordance with the agreed details and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

16. 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.

17. Development facilities:

Electric charging points shall be installed in 10% of the allocated parking spaces at the development. The charging points shall be supplied with an independent 32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The sockets shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: Paragraph 35 of the National Planning Policy Framework states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be

located and designed where practical to [amongst other things] incorporate facilities for charging plug-in and other ultra-low emission vehicles."

18. Boundary Treatment:

Unless details are provided and approved as part of the reserved matters submission(s), no development above ground level shall take place until details of all proposed walls, fences and boundary treatment are 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 prior to the first occupation of the development for residential purposes and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

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

19. Surfacing materials:

Unless details are provided and approved as part of the reserved matters submission(s), before any above ground development is commenced, surfacing materials for the access road and parking areas shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent uses of the access road for anything but access.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the surfacing materials. Submission of this detail prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

20. Car parking:

Before the residential units hereby permitted are first occupied, the area set aside for car parking spaces shall be laid out and surfaced to the satisfaction of the Local Planning Authority and provide a minimum of 24.No. spaces, those areas shall be retained permanently thereafter for the accommodation of vehicles associated with the site.

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.

21. Pedestrian Visibility Splay:

The proposals shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access onto Lower Mardyke Avenue and South Street, set back to the boundary of the public footway. There shall 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.

22. Vehicle Access:

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

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

23. Vehicle Cleansing:

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

a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.

b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;

c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.

d) A description of how vehicles will be cleaned.

e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

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

24. Drainage:

No development shall commence until full details of the drainage strategy, drainage layout, together with suds information to serve the development have been submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained.

25. Servicing:

No above ground development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of access road widths, turning area dimensions and swept path analysis to demonstrate that the proposed development can be adequately serviced and that service vehicles can exit the site in forward gear. The development shall be carried out in accordance with the approved

Reason: Insufficient information has been supplied with the application to demonstrate the width of the access road, the dimensions of the turning area and details of a swept path analysis. 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 highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC36.

26. Community Safety:

Prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' accreditation. The development shall only be carried out in accordance with the approved details.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and London Borough of Havering's Supplementary Planning Documents on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

27. Community Safety continued:

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and London Borough of Havering's Supplementary Planning Documents on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

28. 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.

29. Access:

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.

30. Requirements/Contributions:

Before the development hereby permitted is commenced, the landowner shall enter into a suitable legal agreement (such as a S106 agreement) or other appropriate mechanism that ensures, to the satisfaction of the local planning authority, the performance of the following obligations:

- Pursuant to Section 16 of the Greater London Council (General Powers) Act 1974 - Restrictions on owner and occupiers applying for Parking Permits including provisions not to sell, lease, let or otherwise dispose of any dwelling unit or permit any occupation of any dwelling unit without first imposing in the relevant transfer lease, letting or occupation document a term preventing any owner or occupier of any dwelling unit from applying to the Council for a residents parking permit for the area within which the proposed development is situated;

- Controlled Parking Zone Contribution: Provision of £2688 to be paid prior to commencement;
- Financial contribution of £108,000 to be used for educational purposes, to be paid prior to first occupation;
- Financial contribution of £36,552 to be used for off-site carbon emissions offset measures in lieu of on-site carbon reduction measures, to be paid prior to first occupation;
- Financial contribution of up to £35,092.64 towards the A1306 Linear Park, to be paid prior to commencement;
- To provide affordable housing in accordance with a scheme of implementation for all New Road sites controlled by the developer that ensures that individual development sites are completed so that the overall level of affordable housing (by habitable rooms) provided across the sites does not at any time fall below 35% overall. The affordable housing to be minimum 50% social rent with up to 50% intermediate;

Reason: The development would otherwise be unacceptable if the obligations sought were not able to be secured

INFORMATIVES

1. Approval following revision

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework In accordance with para 186-187 of the National Planning Policy Framework 2012.

2. Fee:

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

3. Changes to the Public Highway:

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. Highway Legislation:

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

5. Temporary use of the public highway;

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

6. Surface water management:

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

7. Community Safety:

In aiming to satisfy the condition the applicant should seek the advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 02082173813.

8. Street name/numbering:

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

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

9. Protected species:

The presence of European protected species, such as bats, is a material consideration in the planning process and the potential impacts that a proposed development may have on them should be considered at all stages of the process. Occasionally European protected species, such as bats, can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, it is advised that the developer stops work immediately and seeks the advice of the local authority ecologist and/or the relevant statutory nature conservation organisation (e.g. Natural England). Developers should note that it is a criminal offence to deliberately kill, injure or capture bats, or to deliberately disturb them or to damage or destroy their breeding sites and resting places (roosts). Further works may require a licence to proceed and failure to stop may result in prosecution.

10. Protected species continued:

The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981, and the Countryside & Rights of Way Act 2000. Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD. Their telephone number is 0845 1300 228.

11. Crime and disorder:

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a

recommendation to approve, staff considers that the proposal will not undermine crime prevention or the promotion of community safety.

REPORT DETAIL

1. Site Description:

1.1 The site is located on the junction of New Road with Lower Mardyke Avenue but extends at the rear, eastwards to a short boundary on South Street. There are three access points to the site, two via Lower Mardyke Avenue (although one is a locked wire fence and gate to the sub-station) and one via South Street. Adjacent to the site (to the east and south) is a petrol station and to the west, across Lower Mardyke Avenue, is a residential close. The locality is characterised by mixture of commercial uses fronting New Road with residential development to the north primarily low density single and two storey bungalows and detached and semi-detached properties. Further north, along Lower Mardyke Avenue, on the junction with Lowen Road, are however a number of 3-5 storey apartment blocks which make up Orchard Village.

1.2 The application site relates to an L-shaped of parcel of land, a site area amounting to approximately 0.216ha (2160m²). The site currently comprises a car repair and MOT garage with three residential units above.

1.3 The application site does not form part of a conservation area, and is not located within the immediate vicinity of any listed buildings. It is however noted as potentially contaminated.

1.4 The site is within the Rainham and Beam Park Housing Zone and within the area covered by the adopted Rainham and Beam Park Planning Framework.

2. Description of Proposal:

2.1 The application is for outline permission seeking approval with access, layout, appearance, landscaping and scale are reserved matters.

2.2 The outline proposals submitted with this application is for the demolition of the existing buildings and redevelopment of the site comprising the erection of a four/five-storey tall building along the frontage with Lower Mardyke Avenue which decreases to three storeys in height towards Lower Mardyke Avenue, two 3 bedroom townhouses are furthermore proposed on the South Street frontage of the site. The indicative mix proposed across the site includes 8.No. of 1 bedroom apartments, 13.No. of 2 bedroom apartments, 1.No. of 3 bedroom apartments and 2.No. 3 bedroom townhouses.

2.3 The development proposal seeks to utilise existing vehicular site access which would be located off Lower Mardyke Avenue and South Street. The scheme is to

provide 24.No. residents car parking spaces which are a ratio of 1 space per each unit.

- 2.4 The application site lies within the Rainham and Beam Park Housing Zone, and is owned by private landowners. The applicant is the London Borough of Havering, although they do not own the land. The Council are seeking to undertake Compulsory Purchase Orders (“CPOs”) to help deliver the comprehensive redevelopment of the area which is key to delivering the forecasted rate of house building and quality of development identified in the adopted Rainham and Beam Park Planning Framework. The precursor to a CPO is normally to have planning permission in place.

3. Planning History:

- 3.1 A planning history search revealed an extensive planning background, as this application seeks the complete re-development of a particular site, the specific historical permissions issued to the land in question are not considered relevant in this instance.

4. Consultations/Representations:

- 4.1 The application was advertised by way of site and press notices as well as notification to 233 properties nearby. No letters of public representation have been received.
- 4.2 The following consultee responses have been received:
- 4.3 Highways Authority: No objection subject to imposition of conditions on pedestrian visibility splays, vehicle access and vehicle cleansing (conditions 21, 22 and 23) and guidance notes on changes to and temporary use of the public highway and highway legislation (informatives 3 and 4). The highways engineer has also requested that any S106 obligations in the form of restrictions on parking permits be made and Controlled Parking Zone Contributions be sought (condition 30).
- 4.4 LBH Street Management: Further Information required in regard to drainage layout together with suds information being conditioned (condition 24).
- 4.5 LBH Environment Protection: No objection in relation to land contamination, air quality matters or noise pollution subject to the imposition of conditions (conditions 10-15).
- 4.6 Thames Water: No objection with regard to sewage and infrastructure capacity.
- 4.7 Essex and Suffolk Water: No objection.
- 4.8 London Fire Brigade: No objection and no further action required.

4.9 Health and Safety Executive: No objection. HSE does not advise, on safety grounds, against the granting of planning permission in this case.

5. Planning Policy:

5.1 The 'National Planning Policy framework' ("NPPF") 2012:

The National Planning Policy is set out in the "NPPF" which was published in March 2012. The "NPPF" and Guidance ("NPPG") states clearly that its content is to be a material consideration in the determination of applications. The "NPPF" states that due weight should be given to the adopted policies of the Local Development Framework (LDF) according to their degree of consistency with the "NPPF" (the closer the policies in the plan to the policies in the "NPPF", the greater the weight that may be given). Accordingly, due weight is also given to the Nationally Described Space Standards (2015).

The relevant paragraphs from the "NPPF" include paras '7-9, 11-17, 21, 23, 28, 34, 35, 38-39, 40, 41, 47, 50, 52, 54-68, 70, 80, 89, 92, 95-96, 112, 150, 158-161, 173-177, 186-188, 196-197, 203-206'.

5.2 The London Plan 2016:

The relevant policies from the 'London Plan' include: Policy 1.1 (Delivering the Strategic Vision and Objectives for London), Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential), Policy 3.5 (Quality and Design of Housing Developments), Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities), Policy 3.7 (Large Residential Developments), Policy 3.8 (Housing Choice), Policy 3.9 (Mixed and Balanced Communities for All), Policy 3.10 (Definition of Affordable Housing), Policy 3.11 (Affordable Housing Targets), Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), Policy 5.1 (Climate change mitigation), Policy 5.2 (Minimising carbon dioxide emissions), Policy 5.3 (Sustainable design and construction), Policy 5.6 (Decentralised energy in development proposals), Policy 5.7 (Renewable energy), Policy 5.9 (Overheating and cooling), Policy 5.10 (Urban greening), Policy 5.11 (Green roofs and development site environs), Policy 5.12 (Flood risk management), Policy 5.13 (Sustainable drainage), Policy 5.14 (Water quality and wastewater infrastructure), Policy 5.15 (Water use and supplies), Policy 5.16 (Waste self-sufficiency), Policy 5.18 (Construction, excavation and demolition Waste), Policy 5.19 (Hazardous Waste), Policy 5.21 (Contaminated Land), Policy 6.1 (Strategic Approach), Policy 6.3 (Assessing effects of development on transport capacity), Policy 6.9 (Cycling), Policy 6.10 (Walking), Policy 6.13 (Parking), Policy 7.1 (Lifetime neighbourhoods), Policy 7.2 (An inclusive environment), Policy 7.3 (Designing out crime), Policy 7.4 (Local character), Policy 7.5 (Public realm), Policy 7.6 (Architecture), Policy 7.14 (Improving air quality), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 7.19 (Biodiversity and access to nature), Policy 8.2 (Planning obligations), Policy 8.3 (Community Infrastructure Levy).

5.3 London Borough of Havering's Development Plan Document ("DPD") 2008:

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the provisions of the development plan and

any other material considerations when dealing with an application for planning permission. Havering's development plan comprises the London Plan (2016), London Borough of Havering's 'DPD' (2008), together with London Borough of Havering's ("LBH") Supplementary Planning Documents 'Designing Safer Places' (2010), 'Landscaping' (2011), 'Planning Obligations' (2013), 'Residential Design' (2010), 'Sustainable Design Construction' (2009), 'Protection of Trees' 2009.

The relevant policies from Havering's "DPD" include; Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), (DC7 - Lifetime Homes and Mobility Housing), DC29 (Educational Premises), DC32 (The road network), DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated land), (Contaminated Land), DC55 (Noise), DC58 (Biodiversity and Geodiversity), DC60 (Trees and Woodlands), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), DC72 (Planning Obligations).

5.4 Rainham and Beam Park Planning Framework:

5.4.1 This site forms part of a wider regeneration project which will see Rainham and Beam Park poised for significant investment into new infrastructure and housing. In June 2015, following a successful bidding process, Rainham and Beam Park was identified as one of the GLA's new 'Housing Zones'. The Zone encompasses the historic heart of Rainham and extends northwards and westwards to include the land either side of New Road including the industrial areas between the road and the railway lines. The Borough boundary along the River Beam marks the western extent of the Zone and the area around Marsh Way bridge and up to the River Beam are commonly referred to as Beam Park. The western boundary borders onto the London Borough of Barking and Dagenham.

5.4.2 The Council produced a Planning Framework for the area/Housing Zone in January 2016. The purpose of the Planning Framework was to provide a comprehensive and flexible plan for the Rainham and Beam Park area. It is a strategic document that aims to assist the Council in directing investment, as well as helping to guide and shape the quality of development coming forward. The Planning Framework sets out design principles for new development and seeks to ensure that appropriate infrastructure is put in place.

5.4.3 The Planning Framework establishes a strong vision based on five core aims.

These are to create:

- A sustainable neighbourhood;
- A great place to live;
- A place with a strong identity;
- An accessible place; and
- A place with quality open spaces.

5.4.4 The Framework includes an illustrative masterplan, prepared to show how the area could develop over the next 15 to 20 years. The illustrative masterplan in this regard suggests potentially:

- 3,250 new homes, of which 1,000 would be houses;
- 3,500-4,000m² new town centre uses in Beam Park including 2,000m² retail floorspace and a new railway station;
- A new 2-form entry Primary School;
- Health and community facilities at Beam Park Centre; and
- An expansion of Havering College.

5.4.5 It is suggested that proposed new development should be predominately residential with a mix of town house and apartments with a variety of typologies, unit sizes and tenures important to achieve a mixed and balanced community. In respect of New Road, the Planning Framework suggests that this will be transformed from a traffic dominated hostile corridor into a tree-lined and friendly boulevard, making use of surplus road space. It is proposed to remodel junctions and to reduce the carriageway space to the optimal dimensions to accommodate anticipated future traffic levels.

5.4.6 Within the Planning Framework, this site forms part of 'Beam Parkway' in which it is suggested townhouses should form 25-30% of dwelling proposed; with potential provision of a small corner shop on the ground floor of the building fronting onto New Road at the junction with Lower Mardyke Avenue. A residential density of 100-120 units per hectare is suggested with building heights of four storeys fronting New Road and 2-3 storey townhouses to the rear. Maximum car parking standards of 0.5 space per 1 bedroom or studio unit; 1 space per 2 bedroom unit; 1.5 spaces per 3 bedroom unit; and 2 spaces per 4+ bedroom unit are recommended.

6. Mayoral CIL implications:

6.1 It is noted that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. As this is an outline application, there are no definitive gross internal floor areas for the dwellings, so the applicable levy is not known.

7. Principle of Development:

7.1 In terms of national planning policies, Para 17 from the 'NPPF' 2012 sets out the overarching roles that the planning system ought to play, a set of core land-use planning principles that should underpin decision-taking, one of those principles are that planning should:

"encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value"

7.2 Additionally, other materially relevant policies appear from the 'London Plan' 2016 which include: Policy 1.1 on 'Delivering the Strategic Vision and Objectives for

London' and Policy 3.3 on 'Increasing Housing Supply' and Policy 3.4 on 'Optimising Housing Potential' fall integral to the decision making process.

- 7.3 In terms of local planning policies, Policy CP1 on 'Housing Supply' of LBH's 'Development Plan Document' 2008 expresses the need for a minimum of 535 new homes to be built in Havering each year through;

"prioritising the development of brownfield land and ensuring it is used efficiently..."

And;

"outside town centres and the Green Belt, prioritising all non-designated land for housing, including that land released from Strategic Industrial Locations and Secondary Employment Areas as detailed in CP3...."

- 7.4 Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year. Ensuring an adequate housing supply to meet local and sub-regional housing need is important in making Havering a place where people want to live and where local people are able to stay and prosper. Expanding on this, policy CP2 aims to ensure that sustainable, attractive, mixed and balanced communities are created.

- 7.5 The aspiration for a residential-led redevelopment of the Rainham and Beam Park area was established when the area was designated a Housing Zone. Furthermore the production of the Planning Framework sought to re-affirm this and outline potential parameters for development coming forward across the area with the aim of ensuring certain headline objectives are delivered. The 'Rainham and Beam Park Planning Framework' 2016, supports new residential developments at key sites including along the A1306, and the Housing Zones in Rainham and Beam Park, the document in part states:

"The Rainham and Beam Park area provides a major opportunity for Havering to establish a high quality residential neighbourhood that provides much needed homes in the Borough. This will further contribute to meeting the housing target set by the Mayor through comprehensive development that seeks to optimise development outcomes."

- 7.6 Staff in view of the above raise no in principle objection to a residential-led development coming forward on this site. Whilst staff note that the Planning Framework suggests potentially that a small corner shop could be located on the ground floor of the building fronting onto the junction of New Road with Lower Mardyke Avenue, this is considered to be a potential rather than fundamental element of any re-development proposals. The principle of development is therefore acceptable on its planning merits in accordance with Policy CP1 on 'Housing Supply' of LBH's 'Development Plan Document' 2008; and Policies 3.3 on 'Increasing Housing Supply' and 3.4 on 'Optimising Housing Potential' of the 'London Plan' 2016 and Paras 17 and 47 from the 'NPPF' 2012 which seeks to increase housing supply.

7.7 A more detailed assessment of the proposals in respect of design, highways, amenity and any specific individual site constraints can nevertheless be found below.

8. Density/Site Layout:

8.1 The development proposal is to provide 24.No residential units on a site area of 0.216ha (2160m²) which equates to a density of 111 units per ha. The site is an area with low-moderate accessibility with a PTAL of 2. Policy SSA12 of the LDF specifies a density range of 30-150 units per hectare; the London Plan suggests a density range of between 35 and 170 dwellings per hectare depending upon the setting in terms of location (suggesting higher densities within 800m of a district centre or a mix of different uses). The Planning Framework suggests a density of between 100-120 dwellings per hectare.

8.2 Given the range of densities that could be applicable to this site, a proposed density of 111 units per hectare is not considered to be unreasonable and would be capable of being accommodated on this site given the mixed character of the area and proximity to the future Beam Park district centre and station.

8.3 Building heights in the area are somewhat varied along New Road, a character appraisal reveals that three storey buildings front onto New Road and two storey houses with pitched roofs to the west and rear of the application site. Guidance as stipulated under the Planning Framework states that new development along New Road could raise to a height of 4 storeys and that this level is an efficient height for smaller apartment buildings.

8.4 Based on the building footprint and the building height indicated on the proposed parameter plans, the proposed residential development would be detached and of a four/five-storey tall building along the frontage with Lower Mardyke Avenue which decreases to three storeys in height further down Lower Mardyke Avenue. Having reviewed the plot width and its depth, the particularly wide nature of New Road, the adjacent petrol station, officers consider the height proposed to be appropriate for the site in the context of a changing character to the area. Proposals opposite this site for the Beam Park site include storey heights of 5-7 storeys with higher buildings than this proposed for the station area. In the light of this, an increase in heights outlined in the Framework is considered acceptable and would not appear out of place.

8.5 The primary elevation of the proposed development would front onto Lower Mardyke Avenue and be west facing which presents coherency with the street interface, the buildings siting and orientation would in turn respond positively on the established perpendicular street pattern and contribute to the stipulated character of the area. The proposal would not necessarily follow suit with the established building line from properties off Lower Mardyke Avenue, however, officers have factored in the adjacent property which share similarities with that proposed here. Notwithstanding this, given the buildings prominent corner location and form, officers are of the opinion that its siting in the location proposed would harmonise

well against the pattern of development from properties on New Road. The general layout plan of the building would fall in accordance with Policy DC61 of the LDF

8.6 In respect of amenity space, the London Borough of Havering's Supplementary Planning Document for '*Residential Design*' 2010 does not prescribe fixed standards for private amenity space or garden depths. Instead the document places emphasis on new developments providing well designed quality spaces that are usable. In terms of amenity space provision, communal amenity space will be expected on all flatted schemes. The proposed communal area sited to the rear/side of the property and will be accessible and legible to its occupants, the layout subsequently lends itself positively to meeting the needs of disabled users and all age groups. Officers are yet to view further details of how the proposed communal amenity space would be designed to be private, attractive, functional and safe, details of boundary treatments, seating, trees, planting, lighting, paving and footpaths or details of effective and affordable landscape management and maintenance regime are yet to be provided and would be assessed as part of any reserved matter submission. The remaining area within the development is largely hard surfacing and consists of the access road and parking provision. It is considered that the layout of the site is acceptable on its planning merits.

9. Design/Impact on Street/Garden Scene:

9.1 The application would involve the demolition of a two-storey property, 3.No. residential flats occupy the upper floors whilst the ground floor hosts an MOT test centre together with associated workshops and areas of hardstanding set as car parking spaces. While the buildings all appear to be in a structurally sound condition, they do not hold any architectural or historical value, therefore no principle objection raised to their demolition.

9.2 Scale is a reserved matter. As well as comments on height above, Staff would comment that from the submitted Design and Access Statement, the agent has indicated that the proposed apartment block will be no greater than four-five storeys in height, and would in effect harmonise against the scale of buildings in the locality, both old, new and those proposed for the area (as shown from the submitted illustrative masterplan on proposed heights). It is considered that the footprint and siting of the building together with its dedicated parking areas would be acceptable on their planning merits.

9.3 Appearance is also reserved matter. From the submitted Design and Access Statement, the agent has not drawn attention to the proposed building design nor specified its intended material use. A condition would be applied to the grant of any permission requiring details of material use for reason of visual amenity.

9.4 Landscaping is a reserved matter; it is considered that the proposal can achieve an acceptable level of landscaping given the proposed layout. A condition would be applied to the grant of any permission requiring details of landscaping.

10. Impact on Amenity:

10.1 The proposed flatted block would be on the western part of the site which has a boundary to the north to the residential property at 2 Lower Mardyke Avenue. As the building would step down to 3 storeys in height and be further away from the boundary than the existing building, it is not considered that it would appear overbearing and subject to details of final design and window placement, result in undue overlooking. To the east of the site, the up to 3 storey town houses would adjoin the petrol station to the north and south of 1 South Street, a residential property. Given the proposed siting, there is not considered to be significant loss of outlook or privacy to this property, The Daylight, Sunlight and Overshadowing' report reaffirms that the scheme surpassed all the daylight/sunlight tests with no detrimental impact caused to neighbouring properties from the development. Officers have reviewed the submitted information and consider that the proposal would not result in any overbearing or overshadowing to its nearest neighbouring property by virtue of the developments siting and distance which has appropriately mitigated potential concerns.

10.2 From a noise and disturbance perspective, officers have had regard to the immediate surroundings which is of mixed use. The siting of the access drives and buildings will enable the provision of a landscaped buffer strip against the adjoining boundary to the east which is of most concern. Any noise buffer against the eastern boundary will help to absorb any noise and light spillage resulting from vehicles using the petrol station. The provision of appropriate fencing together with a landscaping scheme would also afford reasonable protection to those who live adjacent to the site (north) from the more active use of the site.

10.3 The Councils Environment Health and Protection team have no objections subject to implementation of conditions (conditions 10-15). The applicant has carried out and submitted as part of this application a Noise Impact Assessment and an Air Quality Assessment to clarify that there is to be no detrimental impact caused to nearby residents or future occupants of the development from the use of the access road or that of adjacent uses and air quality matters as a result, the proposal subject to condition would adhere to Policy DC49 on 'Sustainable Design and Construction'; Policy DC52 on 'Air Quality'; Policy DC55 on 'Noise' and Policy CP17 on 'Design' of LBH's '*Development Plan Document*' 2008; and policies, 5.2, 7.14 and 7.15 of the '*London Plan*' 2016; and LBH's Supplementary Planning Document for '*Sustainable Design Construction*' 2009.

11. Highway/Parking:

11.1 The proposal for 24.No. units is accompanied by the provision of 24.No. vehicular parking spaces, which equates to a parking ratio of 1:1. At a car parking ratio of one space per unit (24 spaces) the provision proposed represents an overprovision against the maximum standards suggested in the Planning Framework – these standards are based on the London Plan and suggest a maximum provision of 0.5 spaces per 1 bed unit, 1 space per 2 bed unit, 1.5 spaces per 3 bed unit and 2 spaces per 4 bed unit. With regard to this, totalling this against the proposed mix would render a provision of 22.5 spaces. Officers are however mindful of that this

is an application for outline planning permission and the residential mix is potentially subject to change at reserved matters stage. Also the site would be located very close to the proposed station and accessibility levels would consequently increase. Accordingly officers are content with the provision of parking proposed considering the 24 spaces would suitably allow the applicant at reserved matters to finalise a car parking management plan.

11.2 The applicant has submitted a Transport Assessment has been submitted as part of this application which predicts that the traffic generated from the proposed residential development would have a negligible increase over existing traffic conditions, in peak periods, but a significant reduction over the whole day. The Highways Authority have reviewed the aforementioned document and consider the development acceptable from a highway perspective and unlikely to give rise to undue highway safety or efficiency implications which may fall contrary to Policy DC32 on 'The Road Network' of LBH's '*Development Plan Document*' 2008.

11.3 With regard to vehicular access, staff note that the proposals would see the existing access from New Road removed, in line with the overall aspirations for the area and the Linear Park. The Councils Highways Engineer has reviewed all highways and parking matters arising from the proposal and raised no objections subject to the imposition of conditions (covering pedestrian visibility, vehicle access and vehicle cleansing during construction), financial contribution to Controlled Parking Zone and limitation on future occupiers from obtaining any permits in any future zone. In this respect, the proposal is considered to be compliant with Policy DC33 on 'Car Parking' of LBH's '*Development Plan Document*' 2008; and Policy 6.13 of the London Plan.

11.4 The London Fire Brigade has raised no objection in principle. In this respect the proposal is compliant with Policy DC36 on 'Servicing' of LBH's '*Development Plan Document*' 2008.

12. Affordable Housing and Mix:

12.1 Policy DC6 of the LDF and Policies 3.9, 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals. The Mayor of London Supplementary Planning Guidance "Homes for Londoners" sets out that where developments propose 35% or more of the development to be affordable at an agreed tenure split, then the viability of the development need not be tested – in effect it is accepted that 35% or more is the maximum that can be achieved.

12.2 The proposal is one of a series of development sites, the redevelopment of which is aimed at regenerating the Housing Zone. As long as this site provides part of an overall development which at no point, the affordable housing provided falls below 35%, by which 50% to be social rent with up to 50% intermediate, then it is considered that the affordable housing policy requirement could be met. The development proposal, subject to condition 30 being imposed would comply with Policies 3.9, 3.11 and 3.12 of the London Plan.

13. Other Material Planning Considerations:

- 13.1 From a biodiversity and geodiversity perspective, officers have assessed the built form of the site and taken into consideration the '*Phase a Habitat Survey*' by the applicant. The findings from the survey recorded features suitable for nesting birds with low likelihood for bats, notwithstanding this officers consider the site to be of low ecological value, however has the potential to harbour protected species and therefore it would be appropriate to impose informative 9 and 10 as a means to safeguarding them in accordance with Policy CP15 on 'Environmental Management' and Policy CP16 on 'Biodiversity and Geodiversity' of the LDF; and Policy 7.19 on 'Biodiversity and access to nature' from the '*London Plan*' 2016; and Para 118 from the "*NPPF*" 2012.
- 13.2 From an arboricultural perspective, a tree survey has been carried out as part of this application from the Ecology Report which indicates the presence of mature broadleaved trees. Officers can confirm that none of the aforementioned trees nearing the sites eastern boundary as being protected by any Tree Preservation Orders, officers consider the trees to hold little to no amenity value. In this respect, the proposal would not fall contrary to Policy DC60 on 'Trees and Woodlands' of the LDF; or LBH's Supplementary Planning Document for '*Protection of Trees*' 2009 and '*Landscaping*' 2011; and Para 118 from the "*NPPF*" 2012.
- 13.3 From a flooding and drainage perspective, a review of the Environment Agency mapping indicates that the site is located within tidal Flood Zone 3 with 60% of the site falling within a Flood Zone 1. The Flood Zone 3 areas (western boundary of the site) remain protected to a degree by the Thames Tidal flood defences which are of very high standard. The applicant has submitted a Flood Risk Assessment however no SUDS details have been submitted. The Environment Agency has yet to comment on the proposal; however the Councils drainage advisors have sought SUDS conditions to be imposed to the granting of any consent. Subject to adhering to conditions imposed the proposal would adhere with Policies DC48 and DC49 of the LDF and LBH's Supplementary Planning Document for '*Sustainable Design Construction*'; and Policies 5.12 and 5.13 of the London Plan and Paras 104 and 121 from the "*NPPF*".
- 13.4 From a land contamination perspective, comments received from Environment Health and Protection on requirement for conditions 10-15 is paramount where the development is on or near a site where contamination is known, or expected to exist. Therefore, subject to imposition of the above conditions, the development proposal would adhere with Policy DC53 on 'Land Contamination' of LBH's '*Development Plan Document*' 2008.
- 13.5 The southern part of the application site is situated within an Outer Consultation Zone (as designated by the Health and Safety Executive) in relation to the proposal's proximity to major hazards sites/pipelines, notwithstanding this, there is no objection from the HSE as the development would not place new residential occupiers at an unacceptable risk of harm in the event of a major incident involving this site constraint. As such, the proposal is supported in principle as it would adhere to Policy 5.22 on 'Hazardous Substances and Installations' of the '*London Plan*' 2016.

- 13.6 From a sustainability perspective, the proposal is accompanied by a Sustainability Statement and Energy Statement. The reports outline an onsite reduction in carbon emissions by 36%, to include a photovoltaic strategy which aims to further reduce CO2 emissions by a further 25.7% across the entire site. In calculating the baseline energy demand and carbon dioxide emissions for the site, a financial contribution of £36,552 has been calculated as carbon emissions offset contribution in lieu of on-site carbon reduction measures. The development proposal, subject to condition 30 being imposed and contributions sought would comply with Policy 5.2 of the London Plan.
- 13.7 From a crime prevention and community safety perspective, the submitted Planning Statement has made reference to the sites layout and use of natural surveillance. Notwithstanding this, and in the absence of consultation response from the Crime Design Advisor, officers are suggesting a series of conditions to be included within the conditions list so to respond with Secured by Design principles in accordance with Policies CP2, CP17, DC49 and DC63 of LBH's '*Development Plan Document*' 2008; and with LBH's Supplementary Planning Document for '*Designing Safer Places*'; and Policies 3.5, 7.1 and 7.3 of the '*London Plan*' 2016.

14. Planning Obligations/Financial contributions:

- 14.1 Policy DC72 on 'Planning Obligations' of LBH's '*Development Plan Document*' 2008 which in part emphasises that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 14.2 In 2013, the Council adopted its Supplementary Planning Document on '*Planning Obligations*' which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 14.3 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 14.4 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 on 'Planning Obligations' of LBH's *'Development Plan Document'* 2008 and Policy 8.2 on 'Planning obligations' of the *'London Plan'* 2016.

- 14.5 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 year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 on 'Educational Premises' of LBH's *'Development Plan Document'* 2008.
- 14.6 Previously, in accordance with the SPD, a contribution of £4500 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £4500 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 14.7 Policy DC29 on 'Educational Premises' of LBH's *'Development Plan Document'* 2008 highlights how the Council will ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of residents. This is partly achieved by seeking payments from residential developers for the capital infrastructure of schools required to meet the demands generated by the residential development. Therefore, financial contribution totalling £108,000 to be used for educational purposes in accordance with the Policy DC29 and LBH's Supplementary Planning Document for *'Planning Obligations'* 2013.
- 14.8 Policy DC2 on 'Housing Mix and Density' of LBH's *'Development Plan Document'* 2008 emphasises that residential developments will only be permitted with less than one car parking space per unit where on-street car parking can be controlled through a Controlled Parking Zone. Therefore a financial contribution shall be sought to be used for Controlled Parking Zone allowing provision in the sum of £2688 (£112 per unit) to be paid prior to the commencement of the development in accordance with the Policy DC2 and LBH's Supplementary Planning Document for *'Planning Obligations'* 2013.
- 14.9 A financial contribution totalling £36,552 to be used for off-site carbon emissions offset measures in lieu of on-site carbon reduction measures in accordance with Policy 5.2 on 'minimising Carbon Dioxide Emissions'; and Policy CP15 on 'Environmental Management' and with Policy DC49 on 'Sustainable Design and Construction' of LBH's *'Development Plan Document'* 2008; and LBH's Supplementary Planning Document for *'Sustainable Design Construction'* 2009; and Policy 5.3 on 'Sustainable Design and Construction' and Policy 5.15 on 'Water use and supplies' and Policy 5.16 on 'Waste self-sufficiency' from the *'London Plan'* 2016

- 14.10 Based on the length of frontage being 32.5m and 20% proportion of costs of providing the assets required to implement the scheme, financial contribution of up to £35,092.64 (at a proportion contribution of 1.3%) will be sought towards the A1306 Linear Park which is considered to be an essential component of the regeneration of the Housing Zone and would be partly funded by developer contributions in accordance with the Planning Framework.
- 14.11 Policy DC6 of the LDF and Policies 3.9, 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals. Therefore, affordable housing shall be sought in accordance with a scheme of implementation for all New Road sites controlled by the developer that ensures that individual development sites are completed so that the overall level of affordable housing (by habitable rooms) provided across the sites does not at any time fall below 35% overall. The affordable housing to be minimum 50% social rent with up to 50% intermediate.
- 14.12 In this case, the applicant is the Council, but they currently have no interest in the site. The purpose of the application is to establish the principle of residential development on the site to support regeneration initiatives in the area. As such, it is unlikely that the current owners of the site would be willing to enter into a legal agreement (which is the usual method for securing planning obligations) as they have no role in the present application. The NPPG states that in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before development can commence may be appropriate in the case of more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk. It is considered that this application presents such an exceptional circumstance and the obligations are recommended to be secured through a planning condition.

15. Conclusion:

- 15.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposal would not harm the form and character of the surrounding area, the residential amenity of the occupants of neighbouring properties or result in any highway issues subject to the monitoring of safeguarding conditions.

IMPLICATIONS AND RISKS

Financial implications and risks: None.

Legal implications and risks: This application is made by Council, the planning merits of the application are considered separately to the Council's interests as applicants.

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.

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including units that provide for wheelchair adaptable housing, and units which are designed to Lifetime Homes standards. The residential development is exclusively for affordable housing, thus contributing to the provision of mixed and balanced communities.